

A HISTORY OF THE BARCLAY FAMILY



CHARLES W. BARCLAY

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A HISTORY OF THE BARCLAY FAMILY

A HISTORY OF THE
BARCLAY FAMILY

WITH FULL PEDIGREE

FROM 1066 TO 1924

COMPILED BY
THE REV. CHARLES W. BARCLAY
ILLUSTRATED

PART I

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NOTE

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THE completion of this history has been long—far too long—delayed. Much of it was written many years ago, indeed the search for information has been carried on, intermittently, for fully fifty years.

A full pedigree from the earliest days to the present time has been compiled, but only the Gloucestershire part has been elaborated with a full history, although a mass of material has been collected for the detailed account of the Scottish and English generations.

It has been thought well to print now what has been done as Part I, leaving for a Part II the concluding portion and bringing the record of the family down to the present day, thirty-one generations from Roger de Berchelai.

The details of the later generations of the pedigree have been verified by members of the various branches of the family.

Colonel Hubert F. Barclay, owing to whose efforts this volume has been printed, has, I am glad to say, undertaken the work of preparing the second volume, which will contain a full account of the Scottish and English Barclays, and some information with respect to the American branches.

C. W. B.

Gloucestershire - 20.00 (3 vols.)

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CONTENTS

INTRODUCTION. A brief account of the original documents and other sources of information upon which the history is based.

A résumé from the time of the Conquest to the present day.
Pages xiii to xviii

HISTORY OF BERKELEY. Origin of the name. Legend of the Witch of Berkeley. The nunnery of Berkeley. Information with respect to Domesday Book. Facsimiles and engravings. Translation of all entries relating to Berkeley. The Norman descent of the family proved. The origin and probable date of the Castle.

Pages I to 17

ROGER DE BERCHELAI I, 1066-1091. Chart pedigree of first six generations. Ralph de Bercelai, brother of Roger. Rissa, wife of Roger. John de Berkeley goes to Scotland in retinue of Margaret, sister of Edgar Atheling.

Pages 18 to 22

EUSTACE DE BERKELEY, 1092-1093. In charge of the Manor of Berkeley on his father becoming a monk at St. Peter's Abbey, Gloucester.

Pages 22 and 23

ROGER DE BERKELEY II, 1094-1131. Disputes with Abbot Serlo. Founded priory of St. Leonard Stanley. William de Berkeley, his nephew, in charge of the Manor.

Pages 23 to 28

ROGER DE BERKELEY III, 1131-1169. His seal. Kingswood charters. Berkeley charters. Pipe Rolls. Gesta Stephani. The marriage covenant of Roger de Berkeley IV and Elena, daughter of Robert Fitzhardinge, made before King Stephen. Roger de Berkeley deprived of Berkeley Castle. Becomes Lord of Dursley. Charters of Aaleis de Berkeley.

Pages 28 to 45

CONTENTS

ROGER DE BERKELEY IV DE DURSLEY, 1170-1190. Married Elena, daughter of Robert Fitzhardinge. Mentioned in sundry Scottish charters. *Pages 45 to 48*

ROGER DE BERKELEY V DE DURSLEY, 1191-1220. Mentioned frequently in Pipe Rolls and other documents. Married Hawise Paynel. *Pages 48 to 50*

HENRY DE BERKELEY I DE DURSLEY, 1220-1221. Chart pedigree of the Berkeleys of Dursley from 1220. Status of the family. Seal of Henry de Berkeley. Armorial bearings discussed. Married Agnes of Draycote. *Pages 50 to 55*

JOHN DE BERKELEY DE DURSLEY, 1221-1245. A long minority. Ill-health. Unable to take part in active work. *Pages 55 and 56*

HENRY DE BERKELEY DE DURSLEY, 1245-1286. Much involved in law suits. Disputes with the Abbot of St. Peter's, Gloucester. Break with the Fitzhardinge Berkeleys. *Pages 56 to 60*

WILLIAM DE BERKELEY DE DURSLEY, 1286-1300. Born on Michaelmas Day, 1269. Came of age when 18 years old. Married early to Marjorie. In military service. Accompanies King Edward on his invasion of Scotland. Died at age of 30. *Pages 60 to 62*

JOHN DE BERKELEY II DE DURSLEY, 1300-1349. Left an orphan at age of six. Did homage for his father's lands, 1314. Married 1317, to Hawise. Makes serious complaint to the King of the Fitzhardings. Died 1349. *Pages 62 to 64*

SIR NICHOLAS DE BERKELEY DE DURSLEY, 1349-1382. Served in military campaigns in France. Mentioned in the Gascon Roll. Fought at battle of Poitiers, 1356.

CONTENTS

Froissart's Chronicle. Returned with the Black Prince. Married Cecilia de la More, but with no issue. On his death in 1382 the whole male line of the Berkeleys of Dursley becomes extinct. *Pages 65 to 68*

WILLIAM DE BERKELEY I DE CUBBERLEY, 1139. Chart pedigree of Berkeleys of Cubberley continued from page 18. Founded Kingswood Abbey. *Pages 68 to 71*

WILLIAM DE BERKELEY II DE CUBBERLEY, 1189. Prince John confirms Eldersfield to him. Married Dionysia, daughter of Robert de Turville. Died 1208. *Pages 71 and 72*

ROBERT DE BERKELEY DE CUBBERLEY, 1208-1233. Paid heavy succession duty. Died 1233, without issue. *Page 72*

GILES DE BERKELEY I DE CUBBERLEY, 1233-1242. Married before 1236, Joanna, daughter of John Englys. Died 1242. *Pages 72 and 73*

NICHOLAS DE BERKELEY DE CUBBERLEY, 1242-1263. Came of age 1257. Nominated custos of the Manor of Gloucester. *Page 73*

GILES DE BERKELEY II DE CUBBERLEY, 1263-1294. Heraldic bearings. Held posts of honour in the county. Sat with Barons in Parliament. Will executed 1294. *Pages 73 to 76*

THOMAS DE BERKELEY DE CUBBERLEY, 1294-1365. Came of age 1310. In 1322 took part in the battle of Boroughbridge. Armorial bearings. Member of Parliament, 1337. *Pages 76 to 82*

THOMAS OF CUBBERLEY (*sic*), 1351. Came of age 1372. Effigies at Cubberley Church. *Pages 83 and 84*
xi

CONTENTS

SIR THOMAS DE BERKELEY II DE CUBBERLEY, 1365-1405.
 Born about 1340. Served many important offices.
 Married three times. Left two daughters co-heiresses.
 Died about 1405, when the Berkeleys of Cubberley
 become extinct in the male line. *Pages 84 to 86*

APPENDIX

Copies of Original Documents and Charters.

I.	Domesday Book	<i>pages 87 to 89</i>
II.	Charter of the Abbey of St. Martin d'Auchy	<i>page 90</i>
III.	Charters at Berkeley Castle	<i>pages 91 to 94</i>
IV.	Charters of St. Peter's Abbey, Gloucester	<i>pages 95 and 96</i>
V.	Kingswood Charters	<i>pages 97 to 101</i>
VI.	Malmesbury Abbey Charters	<i>page 102</i>
VII.	Gesta Stephani	<i>page 103</i>
VIII.	Various forms of the Barclay Name	<i>pages 104 and 105</i>

PEDIGREE in full from 1066 to 1924	<i>i to xxix</i>
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LIST OF ILLUSTRATIONS

Berkeley Castle	<i>facing page xvii</i>
Domesday Book and the Chest in which it is kept	<i>page 5</i>
Berkeley Castle	<i>facing page 15</i>
Font in Berkeley Church	<i>facing page 17</i>
Stanley St. Leonard	<i>page 27</i>
Seal of Roger de Berkeley III	<i>page 29</i>
Seal of Henry de Berkeley	<i>page 53</i>
Arms of the Berkeleys of Dursley	<i>page 54</i>
Arms of Giles de Berkeley II de Cubberley	<i>page 74</i>
Arms of Thomas de Berkeley II de Cubberley	<i>page 74</i>
Effigies of Sir Henry Berkeley and his Wife in Coberley Church	<i>facing page 84</i>
xii	

INTRODUCTION

LITTLE short of two hundred years ago a brief record of the Barclay family, entitled, *A Genealogical Account of the Barclays of Urie*, was compiled by Robert Barclay of Urie, and printed by his son in 1740. The author's quaint and simple letter to his brother David, the first of the line who settled in London, describes the anxious care with which he had searched the Registers of Scotland, and the documents preserved at Urie, for reliable data upon which to base his history. There were, however, many sources to which he had not access, from whence he might have derived important information. Clearly he had not consulted Domesday Book, then preserved in the Chapter House of Westminster Abbey. The distance of Urie from London, no doubt, also precluded any search among the English records at the Tower and elsewhere. The British Museum, now containing many works under the name of Barclay, did not exist until some years after his time; and he does not seem to have been acquainted with Dugdale's Baronage of England. His sources of information were so limited that we need not wonder if the account is somewhat meagre in detail, and occasionally incorrect as to fact, but rather be thankful that he has rescued from complete loss that which may be of consequence in the further stages of our enquiry.

The MS.,
dated 1730,
is preserved
at Bury Hill.

Letter from
Robert to
David Bar-
clay at Bury
Hill.

In the "Genealogical Account" the founder of the family is stated to be Theobald de Berkeley, born about 1110, and from him each successive generation is traced by means of authentic documents, many of which are still preserved at Bury Hill, the seat of Robert Wyvill Barclay, the present chief of the family. The earliest of these documents is a charter from William De Keith, Marishall of Scotland, in favour of Alexander de Berclay of Mathers, in the year 1351. Dated two years later we find a charter of David II, King of Scotland, confirming the lands of Mathers to Alexander de Berclay.

Bury Hill
charters and
documents.

It has remained, however, for later genealogical enquiry to

INTRODUCTION

INTRODUC-
TION.

connect the early Scottish Berkeleys with the ancient Gloucestershire family, and to point out with assured certainty that the Berkeleys may trace their descent to neither a British, Caledonian nor Saxon origin, but to a true *Norman* stock.

The "Genealogical Account" was reprinted in the year 1812, and copies of the original edition are now of the utmost rarity.

Authorities
for this
history.

Only of late years has it become possible to compile a history of the earlier generations. The great interest recently taken in antiquities has called into being numerous associations for the publication of early documents, and although the transactions of the older bodies, such as the Archæological Society, the Spalding Club, the Camden Society, the Bannatyne and others, are invaluable as giving much information, it is to the later publications, such as those of the county archæological associations, the Pipe Roll Society, the published cartularies of the monasteries and the contents of private muniment rooms, to which we are most indebted for the earlier portion of the history of the Barclays. No doubt there are many other charters and documents hidden away, unknown and neglected, which in future years may see the light, perhaps to confirm, possibly to disprove, some of the surmises contained in the following pages. Frequently the links of evidence on various points are slender, a single entry of a name as a witness to some ancient charter, which we might long to confirm more fully; but it will be noticed that conjectures are always plainly stated to be so, while facts capable of proof are coupled with the authority, so that they may be verified and followed out more fully by those who desire so to do.

Occasionally it has been necessary to disprove some of that apocryphal history, which is sure to cling to an ancient family, and nothing is inserted which does not rest upon a basis more sure than that of mere tradition, which, however valuable when corroborating documentary evidence, cannot be allowed to carry weight when found to be antagonistic.

A brief account of a few of the more important sources of information will greatly add to the interest of the details as we come to them. In the forefront we must place Domesday

Domesday
Book.

INTRODUCTION

Book—of which more hereafter—and Dugdale's *Baronage of England*, published in 1675, a work of very great accuracy. With it we may class his "*Monasticon Anglicanum*," a most valuable compilation embodying the cartularies of the suppressed monasteries. Many of the deeds and charters, on which much of our history is based, are taken from these works of Sir William Dugdale. From the evidence room of Berkeley Castle, however, we gather our chief store of information. The "*Lives of the Berkeleys*" and the "*History of Berkeley*," completed by John Smyth of Nibley, the steward of Berkeley, in the year 1618, but only recently printed in three sumptuous volumes, give much information also with regard to the *early* house of Berkeley. Although we cannot invariably rely upon Smyth's statements, we are greatly indebted to his patient and painstaking researches, spread over nearly fifty years of his life, and to his invariable custom of referring to, and quoting from, original authorities.

Recently another volume of great interest and service to our enquiry has seen the light, "*A Descriptive Catalogue of the Charters at Berkeley Castle*," compiled by Mr. Jeayes of the British Museum. Many of the charters given in the appendix are taken from this volume. Frequent quotations will be made from the Pipe Rolls and other Rolls and documents preserved in the repository of the Record Office. The *Magni Rotulli Scaccarii*, or Pipe Rolls as they are commonly called, are the great rolls of the Exchequer, containing the account of all sums paid into the Royal Treasury, whether rents, fines, profits on lands, or other payments. These Rolls are almost complete from the year 1155. The entries are made upon brown leather skins, and their appearance, when rolled up, has in all probability originated the name *Pipe Roll*. Other rolls, such as the "close rolls," "feet of fines," etc., from which quotations are made, will be found in the list of authorities.

On turning from such works of ancient date to modern writings, we are able to gather much information from the invaluable publications of the Bristol and Gloucestershire Archæological Association. It is impossible to exaggerate their value. Almost every volume in the series of "*Transactions*"

INTRODUC-
TION.

Baronage of England, by Sir William Dugdale, Norroy King of Arms. 2 vols. fo. 1675.

Dugdale's *Monasticon Anglicanum*.

Smyth's *Lives of the Berkeleys*, etc., 3 vols., 1883.

Catalogue of the Muniments at Berkeley Castle, 1892. Appendix III, p. 91.

Pipe Rolls and other Rolls.

Bristol and Gloucestershire Archæological Association.

INTRODUCTION

INTRODUC-
TION.

Sir Henry
Barkly,
K.C.B.

contains papers which throw light upon our enquiry. Pre-eminently among them must be mentioned the papers by the late Sir Henry Barkly, K.C.B., on the earlier house of Berkeley, and on the Berkeleys of Dursley and Cubberley, besides many other most able contributions. Sir Henry had welcomed the suggestion that these papers should be made use of in the present volume. Hence lengthy extracts from his writings have been included. Indeed had his invaluable researches not been undertaken, the present account would have been shorn of its chief value and interest. But the present writer has ventured to differ on some few points. Also the publication of the Berkeley Charters has necessarily modified some of his statements. Bearing in mind this acknowledgment of the great value of Sir Henry Barkly's papers to the present work, continual reference will not be made to them in the subsequent pages. The marginal references are chiefly to original authorities.

Brief outline
of the
history.

Before proceeding to the detailed account, it may be well, in the interest of those who are unacquainted with the early history, to give here in brief outline, without authorities, that which will be elaborated in full as we proceed with the history.

Roger de
Berchelai,
founder of
the Barclay
family.

For full dis-
cussion of
the Norman
origin see
hereafter,
pages 13-14.

Roger de Berchelai, the true founder of the family, we may infer, came over from Normandy as one of the invading army of William the Conqueror in the fateful year of 1066, for we find him placed by Earl William Fitzosborn as overlord of the great Manor of Berkeley and its adjacent territories at the very time when the country was divided up by Earl William among the Conqueror's soldiers of fortune. We have clear indications that he was in possession of estates in Normandy, though we are unable, at present, to identify their locality, for unlike many of his companions, Roger discarded his former territorial designation on becoming lord of Berkeley, possibly owing to the greater importance and extent of his English lands. Domesday Book affords full particulars of Roger and his brother Ralph's holdings, and also gives the names of the ejected Saxon owners, a fact of considerable importance. Roger de Berchelai also owned large territories held extra-manorially, both in Gloucestershire and Wiltshire.



BERKELEY CASTLE

INTRODUCTION

In this charge he was succeeded by his sons Eustace and Roger, and his grandson, also Roger. Probably owing to the fact that this Roger III refused to join the standard of Henry II (then Duke of Normandy and Anjou) and took part with Stephen, and also that he appears to have refused to pay his yearly dues to the King, about the year 1150 the Duke made a grant of the Berkeley Manor to Robert Fitzhardinge, a wealthy merchant of Bristol; who had assisted him with pecuniary aid to a large extent. Roger being ejected from Berkeley, took up his residence at Dursley near by, but kept up an intermittent warfare against his rival. Eventually, to stay hostilities, and also because Roger was on the point of ousting Fitzhardinge, the Duke, in conjunction with King Stephen, arranged the plan of a double marriage—Roger's daughter Alice marrying Fitzhardinge's son, and Roger's son marrying Fitzhardinge's daughter. The agreement is still extant in the archives of Berkeley Castle, and will be given *in extenso*, in due course. It was now arranged that the original Berkeleys should reside at Dursley, which was formed into a Barony, while Berkeley Castle was confirmed to the Fitzhardinges, who subsequently took the name of Berkeley. The Dursley Berkeleys, together with the collateral line of the Berkeleys of Cubberley, became extinct early in the fifteenth century, and, if we may rely on the historical accuracy of a sixteenth century manuscript, the succession of the family devolved on the descendants of John de Berkeley, a younger son of the first Roger de Berkeley, who in the year 1069 went to Scotland in the suite of Margaret, sister of Edgar Atheling, and to whom the lands of Towie were granted by Malcolm Caenmoir, her husband.

INTRODUCTION.

Robert Fitzhardinge.

Marriage Covenant in Berkeley Castle.

Dursley becomes the seat of the Berkeleys.

Matthew Lumsden's "Houss of Forbes." Dated 1580.

John de Berkeley goes to Scotland 1069.

Vide "History of the Scottish Barclays," by Leslie Barclay, 1915.

Through many centuries we find records of three main lines of Berkeleys in Scotland—of Gartlie, Towie and Mathers—who long ranked among the lairds of the counties of Banff, Aberdeen and Kincardineshire. Among other collateral lines we may mention the Berkeleys of Colairnie, Kippo, Touch, Pierston, Johnson, Balmakewan and also the Brechin Berkeleys. Much labour and care would be needed to elaborate a full history of all the branches of so widely spread a family. It will be necessary to confine our history to the *main line* from

INTRODUCTION

INTRODUC-
TION.

which are descended the Barclays of Mathers and Urie, and later on the Barclays of Bury Hill and the collateral English lines as shown in the pedigree.

Bury Hill
Charters,
1351.

Vide
pedigree.

Towie remained a possession of the family as late as 1753. Long before this date, however, the lands of Mathers had been granted to Alexander de Berkeley by William de Keith, Mari- shall of Scotland, his brother-in-law, and the Castle or Kaim of Mathers had become the seat of the family.

The last
laird of Urie
1854.

We shall follow down through many generations to David Barclay, who in 1580 sold Mathers, and the castle and estate of Urie was purchased by his son Colonel David Barclay, the famous old soldier of Gustavus Adolphus. In later years Colonel David became a prominent Quaker, as also his still more famous son Robert Barclay "the apologist." A few more generations down the line and we reach Captain Robert Barclay-Allardice of sporting and pedestrian fame, the last laird of Urie, who died in 1854 without male issue, and the representation of the family devolved on Charles Barclay of Bury Hill, the descendant of David, second son of Robert Barclay "the apologist."

Thirty-one
generations
from Roger
de Berchelai.

The family thus again becomes the *English* Barclays after the long sojourn of six hundred years in Scotland. It is only necessary to trace in brief their fortunes down to the present day, having followed the long succession of generations from Roger de Berchelai of Domesday Book, down to Robert Edward Barclay, eldest son of Robert Wyvill Barclay, the thirty-first in descent from the old follower of the Conqueror.

LIST OF PRINCIPAL AUTHORITIES CONSULTED FOR PART I

- Domesday Book, Facsimile of Gloucestershire part.
 „ „ by W. de Grey Birch, F.S.A.
 „ „ Analysis of Gloucestershire part, by C. S. Taylor.
 „ „ Landholders of Gloucestershire.
 „ „ for Wiltshire, by W. H. Jones.
 Lives of the Berkeleys, by John Smyth, of Nibley, written 1618.
 History of Berkeley, by John Smyth, of Nibley, written 1618.
 Fosbroke's Introduction to Berkeley MS.
 Muniments at Berkeley Castle, Ed. by J. H. Jeayes.
 Anglo-Saxon Chronicle.
 William of Malmesbury's Chronicle.
 Florence of Worcester's Chronicle.
 Robert of Gloucester's Chronicle.
 Anglia Sacra.
 Hollinshed's Chronicle.
 The Nuremberg Chronicle.
 Gesta Stephani, Edit. Duchesne.
 Camden's Britannia.
 Sharon Turner's History of the Anglo-Saxons.
 Robert Ricart's Kalendar, 1479 (Town Clerk of Bristol).
 Pipe Rolls, Close Rolls, Feet of Fines and Others, in Record Office.
 Dursley and its Neighbourhood, by Rev. F. H. Blunt.
 Freeman's Norman Conquest.
 Palgrave's Normandy and England.
 The Conqueror and His Companions, by J. R. Planché.
 Tanner's Notitia Monarchia.
 Abbot Newland's Roll, MS. in Berkeley Castle.
 Cartularium de Reading.
 Bristol and Gloucester Archæological Society's Transactions,
 45 Vols.
 Gloucestershire Notes and Queries.

PRINCIPAL AUTHORITIES CONSULTED

Transactions of Archæological Society, Spalding Club, Camden,
Bannatyne and other Societies.
Dugdale's Baronage of England, 2 Vols.
„ Monasticon Anglicanum, 8 Vols.
Sir Robert Atkins's History of Gloucestershire.
Bigland's History of Gloucestershire.
Cartulary of Malmesbury Abbey.
Steven's Abbeys.
Dr. Seyer's History of Bristol.
Royal Commission on Historical Manuscripts.
Froissart's Chronicles.
Lyson's Gloucestershire Antiquities.
Mediæval Military Architecture, by G. T. Clark.
Memorials of Old Gloucestershire.
Cosmo Innes' Sketches of Early Scottish History.
Matthew Lumsden's Houss of Forbes, dated 1580.
Genealogical Account of the Barclays of Urie, 1730.

THE BARCLAY FAMILY

EARLY HISTORY OF BERKELEY

The origin of the surname of Barclay may undoubtedly be traced to the district of Berkeley in Gloucestershire, the ancient domicile of the family in the time of William the Conqueror.

In the *Saxon Chronicle* we find the name written Beorcenlau, a form suggesting a derivation from *beorce*, the beech tree, which grows plentifully to the present day in the vale of Berkeley. The name might, however, be traced with greater probability to the birch tree, since in Domesday Book it takes the form of Berchelai, suggestive of *berk* or birch, and *lea* the old word for meadow. It seems probable that so well watered and wooded a district might derive its name from the prevailing timber.

The castle to the present time stands on a wooded slope, just as in former years, when Shakespeare wrote:

“There stands the castle by yon tufted trees.”

In early days Berkeley formed part of a petty British Kingdom. It is presumed, upon justifiable grounds by Sharon Turner, that Thornbury in the vicinity of Berkeley was a British city where resided Cyndellan, a British King who fell in 577 at the fatal battle of Dirham. In the Anglo-Saxon era we find that Beorclea signified a country of far superior extent to the Berkeley Hyrnesse, or Hundred. The Abbots of Westbury were denominated Abbots of Berkeley.

We have evidence of a religious house there in the eighth century. Tilhere, Bishop of Worcester, in 778 seems to have been previously Abbot of Beorclea, as was Ætheldune, also his successor at Worcester, in 915. Tanner thinks the “family at Berclea” mentioned in the acts of a synod at Cloveshoe in 824 may also refer to a religious house there. An abbess, Ceolburgh by name, presided over the Abbey of Berkeley in the year 805.

William of Malmesbury, who was born 1095, gives a curious legend of the Witch of Berkeley, dating it to the time of King

HISTORY
OF
BERKELEY.
Origin of
name.

Saxon Chro-
nicle.

Domesday
Book,
Appendix i,
page 87.

Shakespeare,
Richard II.

Sharon
Turner's
History of
the Anglo-
Saxons.

Anglia
Sacra
i., 470, 472.
Dugdale's
Monasticon,
i., 125.

Florence of
Worcester's
Chronicle.
Freeman's
Norman
Conquest,
ii., 544.

William of
Malmes-
bury's Chro-
nicle. Bohn's
Series, p. 230.

HISTORY OF THE BARCLAY FAMILY

HISTORY
OF
BERKELEY.
The Nurem-
berg Chro-
nicle.
Legend of
the Witch of
Berkeley.

Edward the Confessor. As illustrating the superstitions of the age it may be deemed worth giving in full. A remarkable illustration may be found in the *Nuremberg Chronicle*. The legend is as follows :—

On a pinnacle
of Berkeley
Church is a
figure repre-
senting the
Witch of
Berkeley
borne away
by the
Devil.

The Legend
appears in
the Poli-
chronicon of
Reinulph of
Chester and
has been
made the
subject of a
ballad
by Southey.
Bris. &
Glouc. Arch.
Soc., vol.
28, p. 4.

“ There resided at Berkeley a woman addicted to witchcraft, as it afterwards appeared, and skilled in ancient augury : she was excessively gluttonous, perfectly lascivious, setting no bounds to her debaucheries, as she was not old, though fast declining in life. On a certain day as she was regaling, a jackdaw which was a very great favourite, chattered a little more loudly than usual. On hearing which the woman’s knife fell from her hand, her countenance grew pale, and deeply groaning, ‘ This day,’ said she, ‘ my plough has completed its last furrow ; to-day I shall hear of, and suffer, some dreadful calamity.’ While yet speaking, the messenger of her misfortunes arrived ; and being asked, why he approached with so distressed an air ? ‘ I bring news,’ said he, ‘ from that village,’ naming the place, ‘ of the death of your son, and of the whole family by a sudden accident.’ At this intelligence, the woman sorely afflicted, immediately took to her bed, and perceiving the disorder rapidly approaching the vitals, she summoned her surviving children, a monk and a nun, by hasty letters ; and when they arrived, with faltering voice, addressed them thus : ‘ Formerly, my children, I constantly administered to my wretched circumstances by demoniacal arts : I have been the sink of every vice, the teacher of every allurements : yet, while practising these crimes, I was accustomed to soothe my hapless soul with the hope of your piety. Despairing of myself, I rested my expectations on you ; I advanced you as my defenders against evil spirits, my safeguard against my strongest foes. Now, since I have approached the end of my life, and shall have those eager to punish, who lured me to sin, I entreat you by your mother’s breasts, if you have any regard, any affection, at least to endeavour to alleviate my torments ; and although you cannot revoke the sentence already passed upon my soul, yet you may, perhaps, rescue my body by these means : Sew up my corpse in the skin of a stag ; lay it on its back in a stone coffin ; fasten down the lid with lead and iron ; on this lay

HISTORY OF THE BARCLAY FAMILY

a stone bound round with three iron chains of enormous weight; let there be psalms sung for fifty nights, and masses said for an equal number of days to allay the ferocious attacks of my adversaries. If I lie thus secure for three nights, on the fourth day bury your mother in the ground; although I fear lest the earth, which has been so often burdened with my crimes should refuse to receive and cherish me in her bosom.' They did their utmost to comply with her injunctions : but, alas! vain were pious tears, vows or entreaties; so great was the woman's guilt, so great the devils' violence. For on the first two nights while the choir of priests was singing psalms round the body, the devils, one by one, with the utmost ease bursting open the door of the church, though closed with an immense bolt, broke asunder the two outer chains; the middle one being more laboriously wrought, remained entire. On the third night about cock crow the whole monastery seemed to be overthrown from its very foundation by the clamour of the approaching enemy. One devil more terrible in appearance than the rest, and of loftier stature, broke the gate to shivers by the violence of his attack. The priests grew motionless with fear, their hair stood on end and they became speechless. He proceeded, as it appeared, with haughty step toward the coffin, and calling on the woman by name, commanded her to rise. She replying that she could not on account of the chains: 'You shall be loosed,' said he, 'and to your cost'; and directly he broke the chain, which had mocked the ferocity of the others, with as little exertion as though it had been made of flax. He also beat down the cover of the coffin with his foot, and taking her by the hand, before them all, he dragged her out of the church. At the doors appeared a black horse, proudly neighing, with iron hooks projecting over his whole back; on which the wretched creature was placed, and immediately, with the whole party, vanished from the eyes of the beholders; her pitiable cries, however, for assistance were heard for nearly the space of four miles."

Inventions like these were common modes of revenge among ecclesiastics, similar stories being told of the body of Charles Martell, King of France, and others. Perhaps

LEGEND OF
THE WITCH
OF
BERKELEY.

HISTORY OF THE BARCLAY FAMILY

HISTORY OF the farce was acted by persons in disguise, for this was
BERKELEY. not unusual.

Nunnery of With respect to the nunnery of Berkeley before the Conquest
Berkeley. we have no further records, till we come to the story of its
dissolution, related by Walter Mapes. Earl Godwin, by means
of a disgraceful ruse, managed to bring such discredit upon the
abbess and the nuns, that the suppression of the nunnery be-
came inevitable; and thereupon he begged Berkeley of King
Edward the Confessor, and settled it on his wife Gueda. Of
the actual buildings there are no visible remains. Very prob-
ably the present castle occupies the original site. There ap-
pears later on to have been some revival of this nunnery, or
possibly some of the ejected nuns received pensions, for
nearly eighty years after this transaction we find in the Pipe
Roll of Henry II mention of sixty shillings for the clothing of
three nuns at Berkeley. It is also worthy of note in this con-
nection that Adeliza, Queen of Henry I, gives by charter to the
Church of Reading, "Berkeley Hern, that is the church of
Berkeley with its appended prebends, and the prebends of two
nuns," which would appear to refer to a nunnery.

Pipe Roll
31 Hen. I.
"in vesti-
tura iii.
Monalium
lx. s."

Dugdale's
Monasticon,
iv. 42 & vi.
Cartularium
de Reading
MSS.
Parsons in
Bodleian.

Domesday
Book.
Wood-
chester.

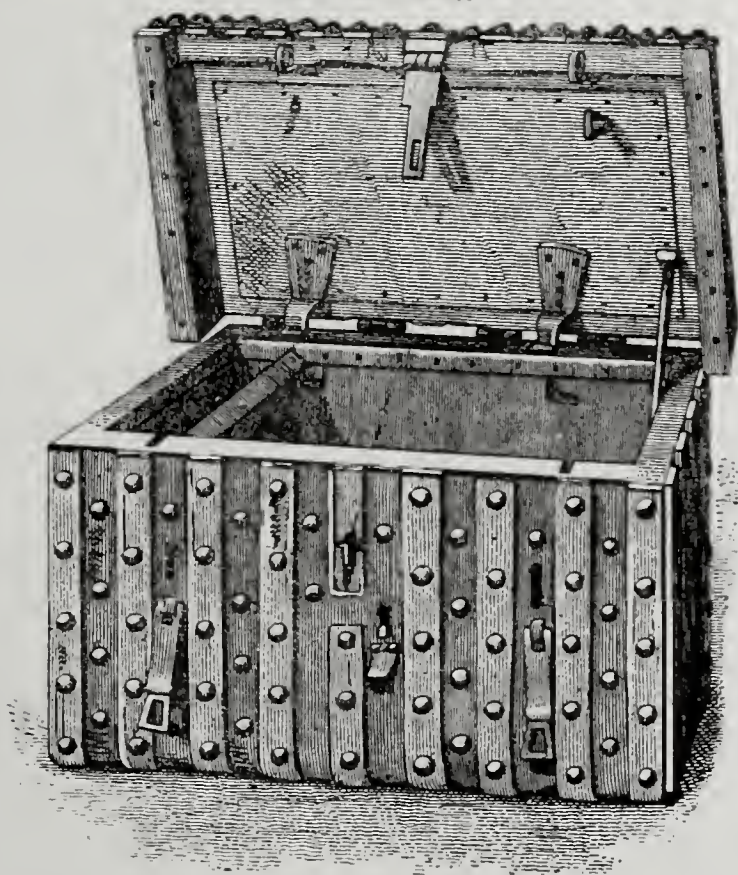
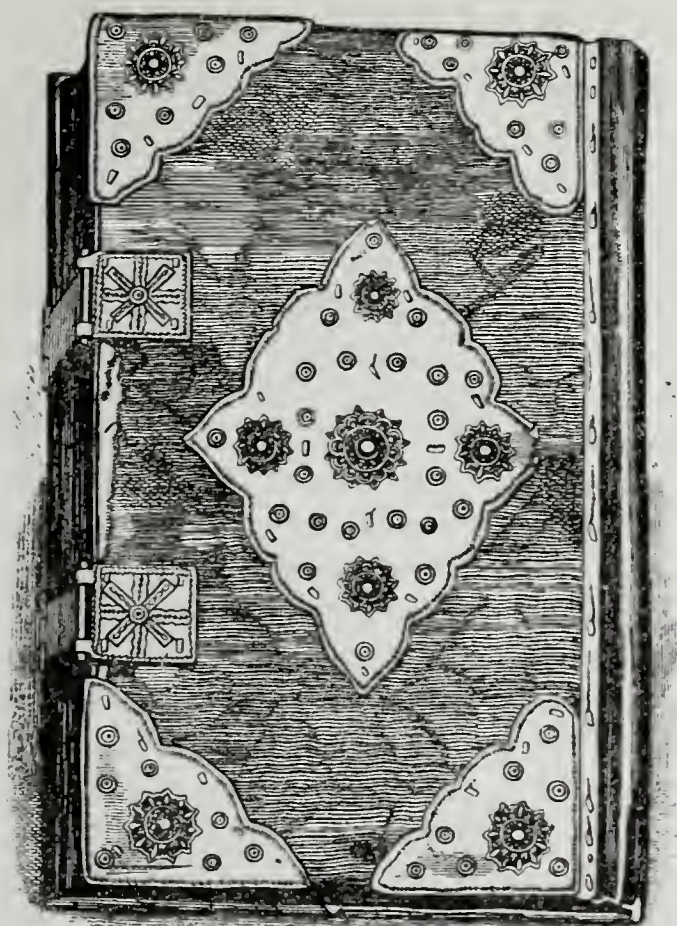
"Nolebat
enim de
ipso man-
nerio aliquid
comedere
pro destruc-
tione
abbatiæ."
Godwin
forfeits
Berkeley.

The Domes-
day Survey.

The scandalous story of Walter Mapes concerning the sup-
pression of the nunnery of Berkeley derives some support from
a curious entry in Domesday Book, whence it appears that
Gueda the wife of Godwin, and mother of Harold, "had Ude-
cester near Berkeley from her husband, he having bought it
from Azor, that she might live there, till she should live at
Berkeley, for she was unwilling to eat anything from that
manor on account of the destruction of the abbey."

Nothing more can be ascertained concerning Berkeley, prior
to the Conquest, save the one fact that Earl Godwin had for-
feited the great manor, in common with all his vast property,
in the year 1051, and it had become forfeit to the Crown.

In the year 1086 the great survey of the whole of England
was made by order of the Conqueror. Its record, preserved to
us in the volumes of Domesday Book, is of extreme value in
any enquiry referring to these early dates. To them therefore
we turn for valuable knowledge concerning the great Berkeley
Manor. Domesday Book contains a vast amount of informa-



DOMESDAY BOOK AND THE CHEST IN WHICH IT IS KEPT

HISTORY OF THE BARCLAY FAMILY

DOMESDAY
SURVEY,
1086.

Saxon
Chronicle.

Demesne
signifies
those lands
which the
Lord of
Manor has
reserved for
his own use.

tion, often of so quaint and curious a nature, that a brief account of it may well be given here. Gloucester was its birthplace. We are told that at Christmas, 1085, King William "Wore his crown in that city, and held deep council with his Witan." The country seems to have fallen into an utterly wretched condition. The latter part of King Edward's reign had been a time of feeble government; and that of King William a period of war, oppression and plunder. The taxes which were imposed were, in many cases, almost insupportable, especially the gheld tax of six shillings on every hide of land. This tax was not paid on the King's property; many of the religious houses were also exempt. Therefore it fell chiefly on the poor, and formed a heavy burden. The title to much of the land was uncertain and its tenure precarious; so, however much the Saxon bordars and villeins resented the apparently inquisitorial enquiry into their possession by the foreign invaders, it was of considerable benefit to them in many ways. From the *Saxon Chronicle* we may gather something of the feeling which was aroused by the survey; we there read concerning the Conqueror: "So very narrowly he caused the land to be traced out that there was not a single hide, or yard of land, not even—it is a shame to tell, though it seemed to him no shame to do,—an ox, cow or hog that was not set down." This, no doubt, was an exaggeration, but the enquiry was very full. The method adopted to obtain the information was as follows: The King sent small companies of his leading statesmen into the various parts of the country. They obtained the facts on oath from the officials of every county and hundred, and from representatives of the inhabitants of every manor in the kingdom. The names of the Commissioners for the County of Gloucester are the only ones accurately known. These were Remigius, Bishop of Lincoln, Walter Giffard, Henry de Ferrieres and Adam Fitzherbert. The subjects of enquiry are stated to have been: What is the estate named? Who held it in the time of King Edward? Who holds it now? How many hides are there? How many in *demesne*? How many in the hands of the tenants? How many villani? and many other similar questions concerning every detail of the property; also what was its value in the time of

HISTORY OF THE BARCLAY FAMILY

King Edward? and what its present value? The standard date, "in the time of King Edward" is generally the day of his death, January 5th, 1066, or to use the quaint language of the record itself, "that day on which King Edward was alive and dead."

DOMESDAY
SURVEY,
1086.
"ea dies
qua Rex
Edwardus
fuit vivus
et mortuus."
Domesday.

Domesday Book is contained in two volumes. The report of Gloucestershire in the first, a thick folio, written on 382 double pages of vellum, in a small but plain character. Each page has a double column containing about sixty lines of writing. The names of the owners are usually in red ink, and the names of the places have a red line through them. The language is Latin abounding in contractions. The account of Gloucestershire is contained in seventeen pages and a half. A brief extract is given below, first a facsimile of the original entry, next the first part transcribed into full Latin and lastly a translation of the same portion :

xlj **TERRA ROGERII DE BERCHELAI.** In respectu bonis.
ROGERIUS de Berchelai tenet **castellum** lbi. x. hidge. Dena
tenet tenet regu. E. In dño sunt. u. car. 7 xix. uilli 7 iii. bordi
cu. 4. car. lbi. iii. serui. 70. ac pā. Silva. iii. q. lxx. 7n. lxx.
Valut. vii. lib. modo. viii. lib. **In BEDREDESTAN lbi.**
Ist Rog tenet DADINTONE. lbi. iij. hidge. 7ii. partes dimidi hidge.
Aluini tenet T. & E. In dño. e. i. car. 7 vii. uilli 7 iii. bordi
cu. iii. car. lbi. iii. serui. 7x. ac pā. Val 7 ualut. iii. lib.
Ist Rog tenet SISTONE. Anne tenet. In **pulesceus lbi.**
lbi. 4. hidge. geld. In dño sunt. ii. car. 7 vii. uilli 7 x. bordi
cu. iii. car. lbi. iii. serui. 7 vii. ac pā. Val 7 ualut. c. sold.

Facsimile of
Extract from
Domesday
Book. *Vide*
Appendix i.
No. 6, p. 88.

xlii Terra Rogerii de Berchelai. In Respigete hundred Rogerius de Berchelai tenet Coberlie. Ibi x hidæ. Dena tenuit tempore regis Edvardi. In dominio sunt ii carucatæ et xix villani et iv bordarii cum v carucatæ. Ibi iv servi et v acræ prati. Silva iii quarentenis longa et ii quarentenis lata. Valuit vii libras modo viii librar, etc., etc.

The same in
full Latin.

The land of Roger de Berchelai. In Respigete hundred Roger de Berchelai holds Coberlie. There are ten hides. Dena

The same
translated
into
English.

HISTORY OF THE BARCLAY FAMILY

DOMESDAY
SURVEY,
1086.

held it in the time of King Edward. There are in the demesne two carucates and 4 bordars with 5 carucates. There are 4 serfs and 5 acres of meadows. The wood is three furlongs long and two furlongs broad. It was worth 7 pounds, now it is worth 8 pounds.

For the
Domesday
measures,
Taylor,
Birch,
Ellis, Kel-
ham, etc.,
may be con-
sulted.

In many
manors there
would not
be more
than 120
acres to the
hide.

The hide was a measure of value rather than of area, but on the average we are not very far wrong if we reckon a hide to be equivalent to 460 acres in the Berkeley Manor. The carucates, or plough lands, may be taken to be one-third of this amount.

Important as Domesday may be in a topographical or genealogical enquiry, yet the greater part is dry reading. However, there are not wanting flashes of life to enlighten its hard record of hides, acres and pounds. We may see how, just as at the present day, the letter W was a stumbling block to the men of Gloucestershire eight hundred years ago, for in the quotation concerning Woodchester already given we find it called Udecestre, thus showing that a wood, on the Cotswolds, was, as now, an 'ood eight centuries since. Then we have a touch of irony in the entry of the assertion of Roger Berkeley, himself provost, that Earl William Fitzosborn had committed the estates of two brothers at Cromhall to the provost of Berkeley that he might have their service—"so Roger says."

" Sic dicit
Rogerius."

To the great authority of Domesday we turn now for all the information we can gather concerning the lands of the lords of Berkeley, and if the quotations from the ancient record itself seem to differ from the information given in the publications and MS. genealogies of one who should be a great authority in such matters—viz., Sir Bernard Burke, Ulster King of Arms—we cannot but conclude that Domesday is right. Unfortunately his errors owing to the authority of his name and office have been widely copied, recently so in the lithographed pedigree of the Barclay family by the present writer in 1884.

Sir Bernard
Burke,
Ulster King
of Arms.

Litho-
graphed
Pedigree of
the Barclay
family, 1884.

Sir Bernard Burke states that Roger de Berkeley is described in Domesday as holding land in Gloucestershire in the reign of King Edward the Confessor. The most cursory examination of Domesday makes it quite evident that this is altogether erroneous, for nowhere do we find any record whatever of the

HISTORY OF THE BARCLAY FAMILY

Berkeleys holding land in the time of the Confessor. As a matter of fact the precise opposite is implied, for of the lands belonging to Roger de Berchelai, the name of the former Saxon owner in the time of King Edward is invariably given.

DOMESDAY
SURVEY.

This error
has been
corrected in
recent issues
of the
"Landed
Gentry."

Since few readers may have the opportunity of studying Domesday for themselves, the most important entries relating to the lords of Berkeley will be given in full, a translation in the text, and facsimiles of the original in the appendix.

So also with
many other
ancient
charters and
documents.

Under the heading of the King's property at Gloucester occur the entries of some cases of encroachment apparently ; among others we find:

Vide
Appendix i,
page 87.

In demesne on the land of the King, Roger de Berchelai holds one house, and one fishery on the vill itself, and it is outside the possession of the King. Baldwin held this in the time of King Edward.

No. 1.

The owners of the land in Wales lying between the Wye and the Usk are given under Gloucestershire. Among them :

Roger de Berchelai holds two carucates of land at Chepstowe and has there 6 bordars with one carucate. It is worth 20 shillings.

No. 2.

Next occurs, under the general heading of the King's Lands, a brief entry that in the hundred of Blakeney:

Roger de Berchelai holds Etlæ.

Then follows, still under the heading of the King's Lands, the whole account of the great Manor of Berchelai, by far the largest and most important in the county. In the translation the modern names of the parishes are given. Should there be any doubt as to the accuracy of these, reference can be made to the original, printed in the appendix. The great Manor or Hundred, included a large number of lesser manors within its boundaries. The total acreage was 70,583; the number of hides being 150. The whole is under the charge of Roger de Berchelai, who renders a yearly payment of £187 10s., but of this more hereafter.

An analysis
of Domesday
by C. S.
Taylor.
1889. Page
42, etc.

In Berchelai King Edward had five hides and in demesne five carucates and twenty villeins and five bordars with eleven carucates and nine serfs, and two mills of twelve shillings rent. There are ten Radchenisters having seven hides and seven carucates. There

No. 3.
Great
Manor of
Berchelai.

HISTORY OF THE BARCLAY FAMILY

DOMESDAY
BOOK.

is one market town, in which seventeen men reside and pay a tax in ferme.

These hamlets belong to Berchelai—

In Hill 4 hides,	In Elberton 5 hides,
In Hinton 4 hides	In Cam 17 hides,
In Gossington 4 hides,	In Dursley 3 hides,
In Coaley 4 hides,	In Uley 2 hides,
In Nympsfield 3 hides,	In Wotton under Edge 15½ hides,
In Simondshale ½ hide,	In Kingscote 4½ hides,
In Beverstone 10 hides	In Ozelworth ½ hide,
In Almonsbury 2 hides,	In Horsfield 8 hides,
In King's Weston 7 hides,	In Cromhall 2 hides,
In Arlington 9 hides	In Ashelworth 3 hides

These above mentioned divisions all belong to Berchelai. There were in these hamlets in the time of King Edward in demesne forty nine and a half carucates, and two hundred and forty two villeins, and one hundred and forty two bordars with one hundred and twenty six carucates. There are one hundred and twenty seven serfs. There are nineteen freemen, Radchenisters having forty eight carucates with their men. There are twenty two soccage tenants and fifteen female serfs. There are eight mills of fifty seven shillings and six pence rent.

No. 4.
The two
brothers at
Cromhall.

In this manor in the time of King Edward two brothers held five hides in Cromhall having in demesne two carucates and six villeins, and five bordars having six carucates. These two brothers might dispose of themselves with their land as they pleased. It was then worth four pounds, now three pounds. Earl William commended them to the Provost of Berchelai that he might have their service. So Roger says.

For this manor with all belonging to it, Roger pays a rent of one hundred and seventy pounds by weight of lawful money.

Slimbridge
was given
as the dower
of Alice de
Berkeley on
her mar-
riage with
Maurice
Fitzhardinge,
1154.

The same Roger holds of the land of this manor two hides in Slimbridge, one hide at Clinger, one hide at Hurst, seven hides at Newington. There are in demesne ten carucates and thirteen villeins, and twenty one bordars with twenty two carucates. There are sixteen serfs and a mill of five shillings rent. The whole in the time of King Edward was worth £9, now £11 10s.

Land of
Bernard the
priest. Pro-
bably the
provision
made for the
religious
needs when
the manor
escheated to
the Crown.

The same Roger holds five hides, the land of Bernard the priest. He has there 3 carucates and two villeins and six bordars with five carucates. It is worth and was worth sixty shillings.

In Nesse there are five hides belonging to Berchelai, which Earl William set apart to make a little castle. Roger reports this."

The next entry of interest in our investigation has already

HISTORY OF THE BARCLAY FAMILY

been alluded to, as affording so curious a corroboration of the story of the dissolution of the religious house at Berkeley related by Walter Mapes. It may be remembered that this entry in Domesday is made less than fifty years after the events recorded are alleged to have taken place :

DOMESDAY
BOOK.

Gueda the wife of Godwin and mother of Earl Harold held Udecester in Langetrev hundred. Godwin bought it from Azor and gave it to his wife, that she might live there, until she would live at Berchelai. For she was unwilling to eat anything from that manor on account of the destruction of the abbey.

No. 5.
i.e., Wood-
chester.

We come now to an account of the lands held by Roger de Berchelai and his brother Ralph extra-manorially in Gloucestershire, and also an extract from the Wiltshire portion of Domesday which mentions estates held by Roger in that county :

The land of Roger de Berchelai. In Respigete Hundred Roger de Berchelai holds Coberlie. There are ten hides. Dena held it in the time of Edward. In demesne there are two carucates and nineteen villeins and four bordars with five carucates. There are four serfs and five acres of meadow. The wood is three furlongs in length and two in breadth. It was worth £7 now £8. In Hedredstan hundred the same Roger holds Dodintone. There are three hides and two parts of half a hide each. Aluin held it in the time of King Edward. In demesne there is one carucate and seven serfs and four bordars with four carucates. There are four serfs and ten acres of meadow. It is and was worth £3.

No. 6.
Saxon
owners of
Berkeley in
time of King
Edward.

The same Roger holds Sistone. Anne held it. In Pulcrecerce hundred there are five hides which pay gheld tax. In demesne there are two carucates and eight serfs and ten bordars with four carucates. There four serfs and eight acres of meadow. It is worth and was worth a hundred shillings.

i.e., Puckle-
church.

The land of Radulf de Berchelai. In Pulcrecerce hundred Radulf brother of the same Roger holds from the King Wapelie. There is one hide. Godric held it. In demesne there is one carucate and four serfs. It is worth and was worth twenty shillings.

No. 7.
Lands of
Radulf
de Berchelai.

In Blacelaw hundred, the same Radulf holds Stanleye. There are four and a half hides. Godric and Wisnod had held it.

Stanley St.
Leonard's,
which was
inherited by
Roger's
heirs.

In demesne there are two carucates and six serfs and thirteen bordars with twelve carucates. There are five serfs and ten acres of meadow. It was worth and is worth a hundred shillings.

HISTORY OF THE BARCLAY FAMILY

DOMESDAY
BOOK.

Roger de
Berchelai's
land in
Wiltshire.

The coscets
were small
cottagers.

Under
Malmesbury
this is
described as
"1 masuram
de firma
Regis."

A virgate
was pro-
bably one-
fourth of a
hide.

Land of Roger de Berchelai. Roger de Berchelai holds Foxeledge of the King. Aldret held it in the time of King Edward, and it paid gheld for two hides. The land is four carucates. Of this there is one hide in demesne, and there are two carucates, and three serfs; and there are four villeins, and three coscets, with three carucates. There is a mill, worth seven shillings and six pence, and four acres of meadow, and eight acres of pasture, and one house in Malmesbury. It was, and is, worth forty shillings.

The same Roger holds one hide, all but half a virgate of the demesne farm of Cepeham. Celein held it in the time of King Edward, as a purpresture of Edric the sheriff.

Roger himself owns Estone. Alwi held it in the time of King Edward, and it paid gheld for three hides, all but half a virgate. The land is three carucates. Of this there are two hides in demesne, and there are two carucates, and four serfs; and there are two villeins, and three bordars with one carucate. There is a mill paying six shillings. It was worth thirty shillings; it is now worth forty shillings.

Roger de Berchelai we thus find holding upwards of 70,000 acres, nearly one-tenth of the whole shire, and undoubtedly one of the most powerful and influential men of Gloucestershire.

Earl Godwin.
1051.

We have seen that Earl Godwin held Berkeley up to 1051, when it became forfeited to the Crown. In 1086 we find Roger de Berchelai præpositus, or provost. There is strong probability that Earl William Fitzosborn, the nearest personal friend of the Conqueror, put Roger into possession of the great Manor, for Roger himself states to the Domesday Commissioners that the Earl had assigned him as provost the services of two brothers at Cromhall, and had set apart likewise five hides at Nesse for the construction of a small castle. This must have been prior to 1070, when Fitzosborn finally quitted England. Earl William Fitzosborn was one of the Conqueror's chief statesmen, and in 1067 during the King's absence from England, he was associated with Bishop Odo in the regency, with authority to erect castles at discretion in all parts of the kingdom. To him was entrusted in large measure the distribution of lands among the followers of the Conqueror, and the Domesday record makes frequent allusion to him in this capacity.

He was
killed in
battle in
1071 at
Raven-
chouen.
"The Con-
queror and
his Com-
panions," by
J. R.
Planché.
1874. Vol.
i. page 179.
Idem, page
92.

HISTORY OF THE BARCLAY FAMILY

These plain statements from Domesday necessarily strike a blow at the old traditional belief that Roger de Berchelai and his ancestors before him were lords of Berkeley from time immemorial. We cannot even claim that Roger or Ralph held any land whatever in Gloucestershire during the reign of King Edward the Confessor. All this must lead us to a somewhat singular inference, but in order that it may be brought forward with greater weight, we will here allude to the existence of an ancient document now at Rouen, which, among other benefactions to the Abbey of Aumâle in Normandy, contains mention of those of Roger de Berchelaico and Rissa, his wife.

DOMESDAY
BOOK.

Gloucester-
shire tenants
of Domes-
day.
Bris. and
Glouc. Arch.
Soc. Vol. iv.
page 147.

Charter of
Aumâle,
vide Archæ-
logia. Vol.
xxvi. page
349.
Appendix ii,
page 90.

Furthermore, in the time of Stephen, a later Roger obtained from Bernard de St. Valerie for himself and for his heirs exemption from the dues of the port of St. Valerie sur Somme, which seems to imply frequent journeys to a Norman estate.

Dugdale's
Monasticon.
Vol. i. p.
812.

These facts must surely lead us to infer the extreme probability of a Norman origin for Roger de Berchelai. We find him put in possession as lord of the great Manor of Berkeley at the time the land was divided among the followers of the Conqueror. We find that in the case of the lands which he holds extra-manorially the name of the former Saxon owner is invariably given. If we suppose Roger de Berchelai to be of Saxon race the Conqueror's dealings with him would be quite inexplicable, and very different to his treatment of other Saxons. The *Chronicles* tell us how their estates were confiscated, how many of them fled abroad, their lands being granted to Norman nobles. We hear how King William deprived the Anglo-Saxons of *all* offices of State, and how even the Saxon monasteries were, in some cases, plundered, and the very primate, Stigand, deposed, and Lanfranc, a Milanese monk, promoted to the See of Canterbury. At such a time it is past belief that a Saxon should be promoted to power and influence from which other Saxon owners had been driven.

The
Norman
Descent.

Freeman in his *Norman Conquest* points out that in the generation represented by Domesday a man's name is an absolutely certain guide to his nationality. The names Roger and Ralph indicate unmistakably a Norman stock. A brief exami-

Freeman's
Norman
Conquest.

HISTORY OF THE BARCLAY FAMILY

THE
NORMAN
DESCENT.
The Con-
queror and
his Com-
panions, by
J. R.
Planché.

nation of the lists of the Conqueror's chief followers shows that no names are more frequently repeated; for instance, Raoul, son of Roger de Mortimer, Roger de Montgomeri, Roger de Beaumont, Raoul de Tœni, son of Roger de Tœni, Raoul de Gael, Roger de Mowbray and many others.

It is true that the name of Raoul was to be found in England before the Conquest, but only in the case of undoubted Normans. Moreover had Roger de Berkeley been of Saxon race we should not have expected, in those early times, to find the Norman style "de Berkeley," although later on doubtless many of the Saxons may have adopted the common usage.

We have strong additional evidence of his Norman origin in the fact that in conjunction with his wife Rissa he made a benefaction to a Norman abbey, which would have been a somewhat singular proceeding for a Saxon, at such a time, and later on we find records suggestive of his grandson possessing property in Normandy.

As opposed to all this, the arguments for the Saxon stock appear weak in the extreme. We have merely the statement of John Newland, Abbot of St. Augustine's at Bristol, in 1481, that Roger de Berkeley, a descendant of the Conqueror's provost, was "an ancient Saxon Baron of the same blood as King Edward the Confessor." What this statement may be worth, or what grounds he had for making it, we cannot now determine. No original evidence in its favour has been forthcoming.

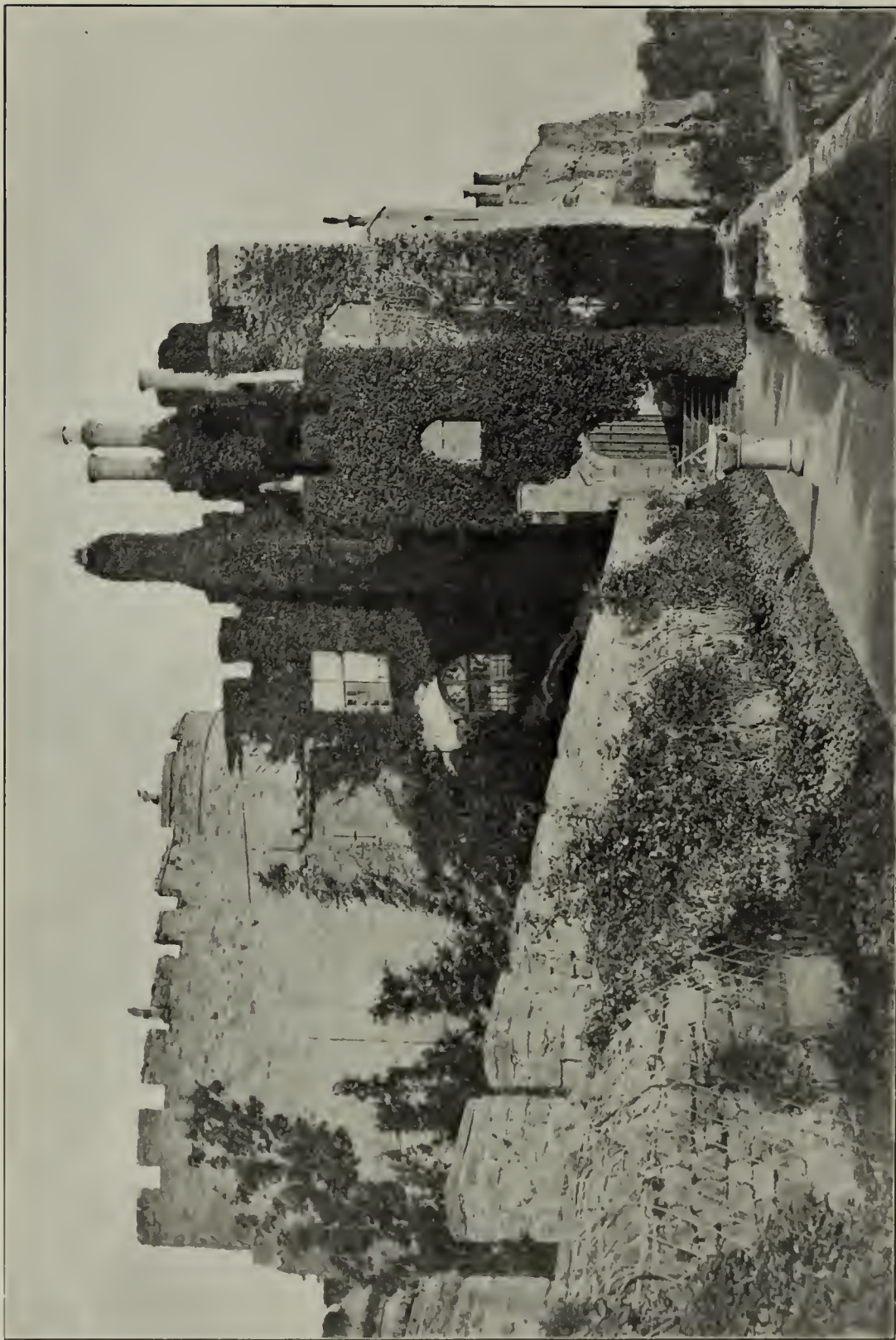
Roll in
Berkeley
Castle.
Printed Brist.
and Glouc.
Arch. Soc.
Vol. xiv.
page 117.

John Smyth, the historian of the Fitzhardinge family, writes of the original Berkeleys as "that ancient Saxon family." His statement, however, is no additional proof as his ideas on the subject evidently originated from the Abbot Newland's roll, from which he constantly quotes.

Smyth's
Lives of the
Berkeleys.

The arguments for the Saxon origin are thus manifestly slender; little more than a family tradition. We may dismiss the statement of Newland as scarcely deserving credit, it was the usual custom for the monkish historians to find royal blood in the veins of their patrons, and their unverified statements do not therefore carry much weight.

A few words on the origin of the Normans may be of interest in view of the descent of the Berkeleys from this northern race.



BERKELEY CASTLE

HISTORY OF THE BARCLAY FAMILY

“The coasts of France had long been ravaged by the incursions of the Northmen, from Norway and Denmark, thus the way was prepared for the final subjugation of the country by Rollo, son of the Norwegian jarl Rögnwald. From Rollo, who died in 931, William the Conqueror sprung fifth in descent. The name ‘Normandy,’ however, does not appear until the eleventh century. The Normans when they invaded England had lost all trace of their northern origin in language and manners, yet the more essential attributes of body and mind are not so easily shaken off, and they were still distinguished from the other natives of France by *their large limbs and fair complexions*.”

THE
NORMAN
DESCENT.

Hume's
History of
England.

Before turning to the genealogical details of the Berkeley family, and attempting to follow the life of each individual, it will be well to throw some light upon the much-vexed question as to the date of the building of Berkeley Castle, and whether we are correct in assigning, at any rate to some portion of it, a date prior to the Conquest. It has been frequently stated that no castle existed at Berkeley until the year 1154, for in the original Charter of Henry II (then Prince Henry, Duke of Normandy), when granting the great Manor to Robert Fitzhardinge, he undertakes to build for him a castle there, and he came to Berkeley soon afterwards to see this promise fulfilled.

Berkeley
Castle.

Charter of
Henry II.
at Berkeley
Castle.
Appendix iii
No. 1, p. 91.

But it appears probable that there was already an ancient castle occupying the site. We have seen how in the *Saxon Chronicle* the existence of a castle is mentioned. Henry I shortly after his marriage to Adeliza of Louvaine spent his Easter at Berkeley, probably at the castle, and the Conqueror himself had spent the Christmas of 1080 at the same place.

Saxon
Chronicle.

Robert of
Gloucester's
Chronicle.
“ His
Easter sooth
at Berkeley.”

The shell keep is the most ancient part of the building, and Lysons, no mean authority, in writing of it says: “It has been suggested to me by the learned author of the *Munimenta Antiqua* that this keep was the castle built by Earl Godwin in the time of King Edward the Confessor out of the ruins of the monastery, and not by Robert Fitzhardinge, in the reign of Stephen, as is commonly supposed, as its form does not resemble that of the other edifices known to have been erected

Lyson's
Glouces.
Antiquities,
1806. Page
32.

HISTORY OF THE BARCLAY FAMILY

BERKELEY
CASTLE.

Mediæval
Military
Architecture,
by G. T.
Clark. Vol.
i. page 236.

Domesday
Book.

at that time. The doorways which appear decorated like those of a later age, might have been added by Robert Fitzhardinge."

Mr. G. T. Clark, author of *Mediæval Military Architecture*, gives an interesting account of Berkeley Castle. With respect to the keep he writes : "If the masonry of Berkeley Castle were to be removed, as at Kilpeck or Ewias Harold, its remains would show a mound of earth, and attached to three sides of it a platform, the whole encircled with a ditch or scarp. It would, in fact, be a moated mound with an appended platform of a character very common in England, in the Welsh marches, and in Normandy, and would resemble such works at Tamworth and Towcester, the dates of which are given in the *Anglo-Saxon Chronicle*. The inference is, therefore, that Berkeley was the seat of an English lord. Had the fortress been an original Norman work, it is scarcely probable that a shell would have been the form of keep selected, or that, having been selected, its lower 22 feet would have been filled with earth." Thus we have good authority for believing that this castle was the stronghold of Roger de Berkeley. Possibly he may have been the builder of a portion of it himself, for the following statement in Domesday, though obscure, may point to this : "There are five hides in Nesse belonging to Berchelai, which Earl William set apart to make a little castle, so Roger reports."* By Nesse is probably meant Sharpness, a few miles from Berkeley, and as there is no record or indication of there ever having been a castle there, the Domesday entry would seem to indicate the provision which Fitzosborn made for building, or adding to the castle at Berkeley. Berkeley Castle, as it now stands, is in very perfect preservation, and although it bears the marks of many a siege and fight, it is still a noble structure. In solid, massive grandeur the old grey castle, standing out from its background of vivid green, forms a picture unequalled for beauty and interest.

The castle, church and town of Berkeley occupy rising ground about fifty feet above the meadows lying to the south

* Dr. Seyer in his history of Bristol, Vol. i, 472, translates " Misit Extra " " put outside the farm " as in many instances firmam follows misit extra. In this case it might seem Earl Fitzosborn proposed building a castle for himself, an intention never fulfilled.



FONT
IN BERKELEY CHURCH

To face page 17

HISTORY OF THE BARCLAY FAMILY

and west; through them flows the little Avon, which falling into the Pill or creek of Berkeley, reaches the Severn, here expanded into a wide estuary. The southern shore is about two miles from the castle. A few yards to the north stands the parish church with its detached tower, and again a little to the north is the town which has grown up under the protection of its powerful neighbour. A deep and wholly artificial fosse intervenes between the churchyard and the castle, crosses the high ground, and isolating the latter protects it on the north and west sides. The south and east is made secure by the natural declivity, scarped and rendered steeper by art. The meadows, out of which the castle hill rises, lie but little above the Severn, and were formerly an extensive and almost impassable morass, adding much to the strength of the place. Under the skill and labour of centuries they have become grass lands of great beauty and fertility. The timber is of great size and adds much to the beauty of the scene. In the distance to the west rise the Welsh mountains, and to the east the Coteswold hills.

BERKELEY
CASTLE.

The town and castle stand, geologically, upon the old red sandstone, which at a short distance to the east is succeeded by the Ludlow rocks.

The main approach to the castle lies through the town; on passing the gatehouse the keep is immediately before you; part of it has been removed and a large breach formed, showing that the interior is full twenty-two feet above the level of the ground outside. It is built of very rude rubble masonry. The annexed illustration gives some idea of the appearance of the fine old building. The oratory is now used as a muniment room, and is rich in ancient documents. Here are to be found many of the original charters, and ancient histories, on which the present pages are so largely based.

Appendix iii,
page 91.

Berkeley is a rare example of an ancient castle inhabited for at least eight centuries, and which has descended in one family through the male line from the reign of Stephen, and in the female line from the time of the Conqueror.

Alice de
Berkeley
married
Robert
Fitzhardinge.

HISTORY OF THE BARCLAY FAMILY

ROGER DE BERCHELAI I

ROGER DE
BERCHELAI
I,
1066-1091.

The dates
given at the
head of each
page give
the time of
succession to
the time of
death, some
approximately.

"Preposi-
tos."
Saxon
Chronicle.

Saxon
Chronicle.

There is no
mention of
this in
Domesday.
Hist. et Cart.
Mon. S. Pet.
Glouc.
Vol. i. page
101.

For original
Latin, *vide*
Appendix iv.

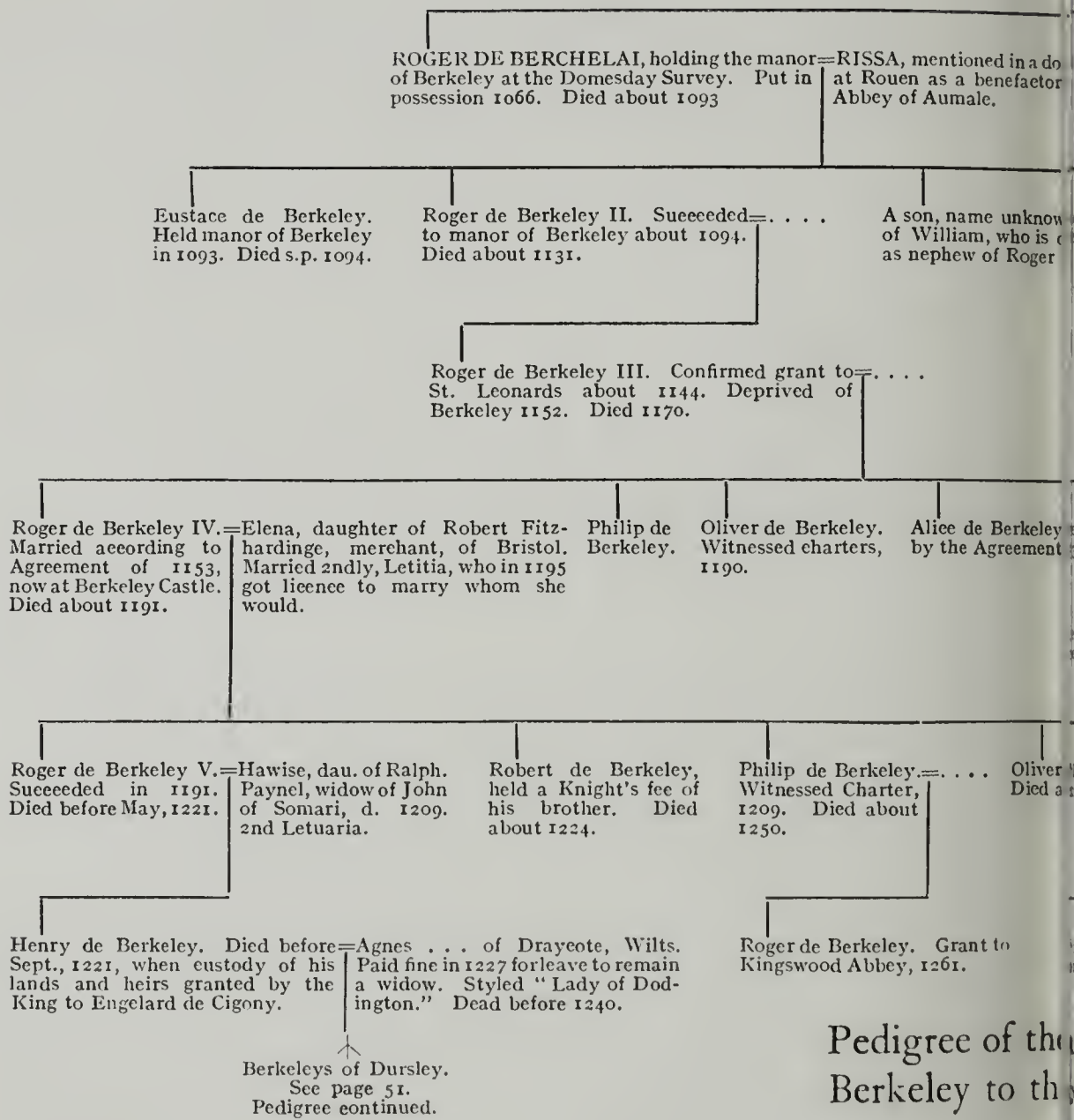
Appendix iv.
No. 5.
Hist. et Cart.
S. Pet.
Vol. i. 112.

Idem, page
112.

Roger de Berchelai, the progenitor of the various branches of the Barclay families in England, Scotland, Ireland and America, was, as we have already shown, a man of vast wealth and territorial power in Gloucestershire, holding the position of an earl by tenure. He had been appointed provost of Berkeley shortly after the Conquest, by Earl Fitzosborn, and was confirmed in his possession by the King himself. He continued in high royal favour, and in the year 1080 we find King William spending Easter at Berkeley. To his brother Ralph the lands of Wapley and Stanley had been committed. Probably Ralph died during the lifetime of his brother, as we find Roger's son occupying the lands of Wapley and Stanley and dealing with them on the same footing as the lands which he had inherited from his father. Roger de Berchelai must have suffered severely during the struggle for the throne at the Conqueror's death: for the *Saxon Chronicle* informs us that in 1088 "all Berkeley Hernesse was waisted and the town" (one version adding "*and castle*") "burnt by the Barons in arms against William Rufus."

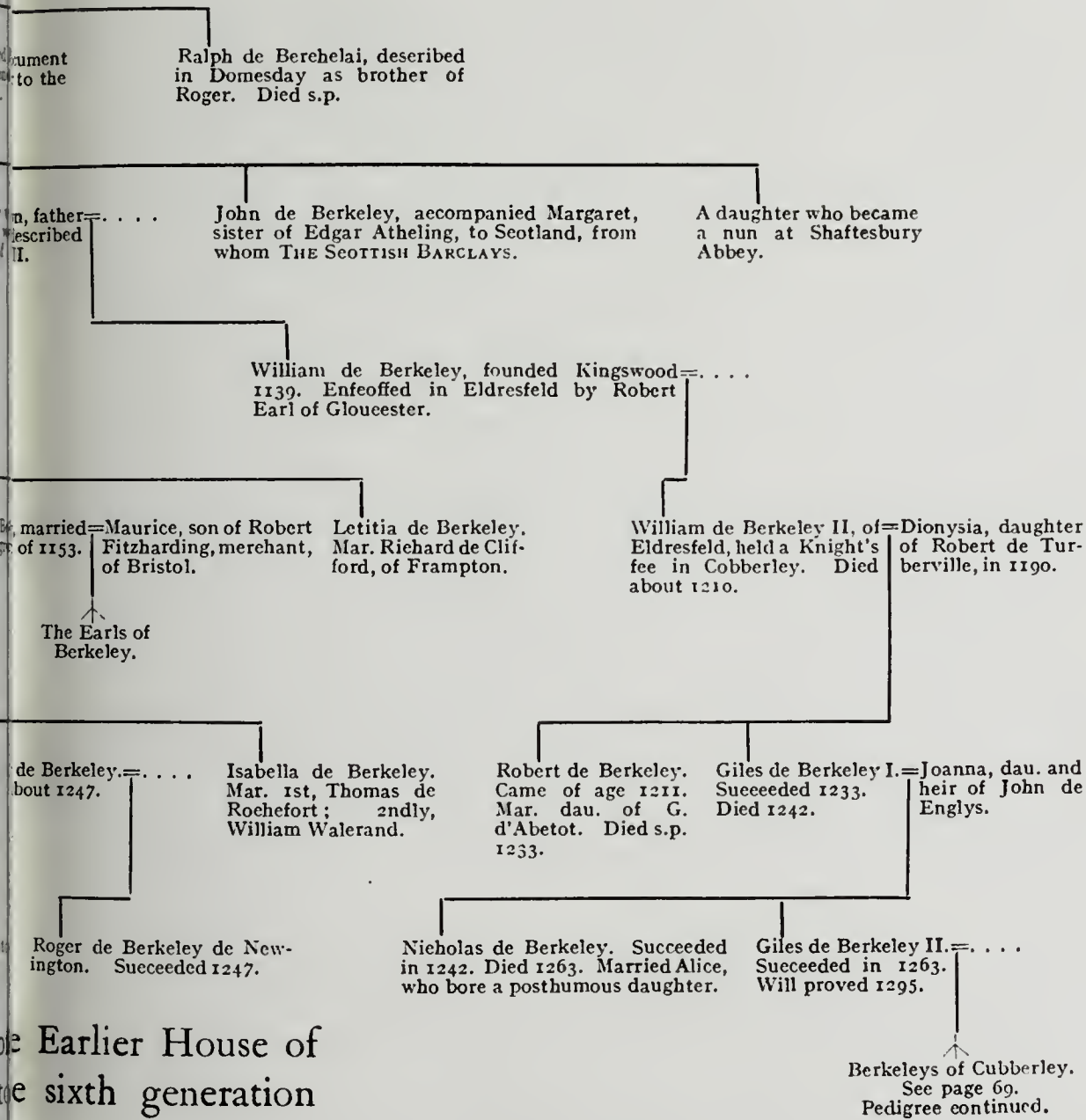
His disputes, too, with Serlo, the imperious Abbot of St. Peter's Abbey of Gloucester, must have occasioned him much trouble and anxiety. The Abbot accused him of having, at the Domesday Survey, asserted the rights of the Crown over Nymdesfeld, and of having encroached elsewhere on lands to which St. Peter's Abbey laid claim. The following is the note made in the cartulary of the Abbey: "In the year of the Lord 1087 Rogerus Senior de Berkeleye in the description of the whole of England made Nymdesfeld to be described as providing for the King's table, the Abbot Serlo not knowing." But in the end, as old age came upon him, he made peace with Serlo, and on January 17th, 1091, became a Benedictine monk under Serlo's rule, making full restitution to the Abbey by giving up the lands of Shoteshore which he had long held in possession notwithstanding the claims of the monks. The entries in the Abbey cartulary with respect to this great change of front in the sturdy provost read as follows: "Roger

HISTORY OF THE



Pedigree of the Berkeley to th

BARCLAY FAMILY



HISTORY OF THE BARCLAY FAMILY

de Berkeley Senior on St. Sebastian's day being made a monk, under the rule of Serlo the Abbot, gave back to God and to St. Peters, of Gloucester, Shoteshore, freely and quietly, which he had held unjustly for a long time, King William the Elder confirming it. This was done in the year of the Lord 1091." Shoteshore was, no doubt, a place of some importance owing to its stone quarries. We may conclude that before Roger's retirement into the monastery, his wife Rissa had died; of her we know very little, but her piety and devotion to the Church are evident from the nature of their joint gift to the Abbey of Aumâle. The charter, before alluded to, is of much interest as giving the name of the wife of Roger de Berchelai, which we should not otherwise have known. Upon the suppression of the monasteries in France the contents of their muniment rooms were transferred to the public offices. Among them, those of the Abbey of St. Martin d'Auchy, commonly called the Abbey of Aumâle, were deposited in the archives of the Department of the Seine Inférieure at Rouen. The charter in question is still extant, written upon parchment; and its paleography corresponds with the date warranted by its internal evidence. It commences with these words :

"In the name of our Lord Jesus Christ in this charter are contained the benefices and rents hereby specified of the Church of the Mother of our Lord, the Virgin Mary, and of St. Martin the Confessor of Christ which in the time of Richard, 4th Duke of the Normans, was founded near the town of Aumâle," etc. Then follows an enumeration of gifts from various persons. The clause of special interest here is the following :

"*Rogerus de Berchelaico, with his wife Rissa, gave a cope with a pallium, a costly priestly vestment, in which not even was its girdle wanting. He gave also a silver cup, a golden cross and two bells.*"

It has been pointed out by Thomas Stapleton, Esq., F.S.A., that the name Rissa bespeaks her Welsh extraction, but this is certainly most unlikely. She must have been married in all probability some years before the Conquest, for her son John, as we shall presently see, accompanied Margaret, the sister of

ROGER DE
BERCHELAI
I,
1066-1091.

Archæologia.
Vol. xxvi.,
page 351.
Appendix ii,
page 90.

The 4th
Duke of the
Normans
was
Richard II.,
who died
1096.
Rissa.

Page 46.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERCHELAI
I,
1066-1091.

Edgar Atheling, to Scotland in 1069. We cannot suppose that he can have been under twenty years of age.

In forming a consecutive narrative of the early generations it is a matter of very great difficulty to ascertain without doubt the correct descents. This can cause no surprise when it is remembered that we are dealing with the history of a private family more than eight centuries ago. We shall presently enquire who succeeded the first Roger de Berchelai, as Lord of the great Manor in Gloucestershire, but before doing so, we must follow for a while the fortunes of a younger son who became the founder of the families of the Scottish Barclays, and their wide ramifications, not only in Scotland, but in England, Ireland and America. We may regret that we are not here treading upon the firm ground of original charters or contemporary documents; still the evidence cannot be rejected as altogether unworthy of credit, for it is corroborated by allusions in the pages of the Chroniclers and other writers. Our chief source of information is an extract from *A Manuscript History of the House of Forbes and Others*, written in the year 1580 by Matthew Lumsden of Tuliekerne:*

Matthew
Lumsden's
MS. History
of the House
of Forbes.

Edgar
Atheling.

"Among those who about the year of Christ 1069 were with Margaret, the King of England's eldest sister, driven by tempest upon the coast of Scotland was John Barclay, son to the Lord Barclay in England. Malcolm Caenmoir, King of Scotland, having married the said Margaret (for her piety afterwards called St. Margaret) did bestow upon several of the English nation, both lands and titles of honour, for attending her, and her mother, brother and sister, in their voyage out of England, intending at that time for Hungarie, but were driven by providence upon Scotland. Among those of the English nation upon whom King Malcolm bestowed lands was John Barclay, son of Lord Barclay in England, upon whom the King bestowed the lands of Towie in the shire of Aberdeen. This John Barclay had many sons, the eldest of whom took to wife, — Gartly, Heretrix of the lands of Gartly, in the shire

* The printed edition of this work is incomplete; where Matthew Lumsden has digressed to give accounts of other families than the Forbes, the editor has omitted the passages. Hence the annexed quotation is not printed.

HISTORY OF THE BARCLAY FAMILY

also of Aberdeen, which afterwards from him were called, the lands and barony of Barclay, he having received from the King the title of Barclay of that ilke, as witnesseth the charter of the said lands, wherein the lady is always Barclay de Eodem."

ROGER DE
BERCHELAI
I,
1066-1091.

"The eldest of John Barclay of Towie, his sons being advanced to ane considerable estate by his marriage with the Heretrix of Gartly and confirmed by the King's favour in the foresaid title of honour, the said John did transmit and leave to his *second* son the foresaid lands of Towie. The rest of his children by their virtue and good service to their King and Country attained to considerable fortunes, and honourable estates, for of them are descended the family of the Laird of Mathers in the shire of Mearns; the family of the Laird of Johnstone Barclay *ibidem*; likewise the family of the Laird of Collairney in the shire of Fife; and we have it also by tradition, that the Lord of Brechin, nephew to King Robert Bruce, was descended of the same race of John Barclay of Towie."

Sic.

Towie to the
second son.

William of Malmesbury in his chronicle says: "Malcolm willingly received all English fugitives." Also from Cosmo Innes' sketches of early Scotch history we learn that partly on account of the marriage of Malcolm with Margaret there took place a great influx of English and Norman families who, rapidly pouring over Scotland, displaced the old inhabitants in all important posts. "They were fit," he writes, "for the society of a court, and became the chosen companions of our princes. They were men of the sword, above all servile and mechanical employments. It is astonishing with what rapidity those southern colonists spread even to the far north. From Tweed and Solway, the whole arable land may be said to be held by them. Of the race of the English colonists came Bruce, Balliol, Biset, *Berkeley*, Colville, Cumin, Douglas, Dunbar; and descended from Northumbrian princes, Fleming, Fraser, Gordon, Hamilton, Lindsay, Maule, Maxwell, Mowbray, Stewart, Sinclair, Wallace, and many others."

Wm. of
Malmesbury.
Edit. Giles,
1883. Page
282.

See also
Hollinshed's
Chronicle.

Cosmo
Innes'
Sketches of
Early Scot-
tish History.
1861. Pages
9 and 10.

It appears, therefore, that John, the younger son of Roger de

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERCHELAI
I,
1066-1091.

Berchelai, went to seek his fortune in the far north, and laid the foundations of the widespread Barclay stock. Later on in this history we shall return to him and follow the line of his descendants down to the present day; but, first of all, it is necessary to come back to the main Gloucestershire line, which we must trace through many generations until its final extinction; when we shall again take up John de Berkeley, on whose descendants the representation of the family then devolves.

Roger I.'s
successor.

It is no easy matter to decide who was the successor of Roger de Berchelai. Probably the descent as given in the accompanying chart is correct. We will trace it step by step.

Appendix iv.
1 and 2, p. 95.

Roger de Berchelai I is styled, as we have seen, in the cartulary of St. Peter's Abbey, Gloucester, as Rogerus de Berkeleye *Senior*, thus proving that he had a son of that name, whom we find also mentioned in the same cartulary, as Roger de Berkeleye *Junior*. Moreover from a deed in the Register of Malmesbury Abbey at a later date we find a Roger de Berkeley, who confirms to the church of St. Adhelm a hide of land in Codrington, which *Roger his grandfather and Roger his father* had granted to the church in pure alms. In its proper place the date of this deed will be considered, but there is strong probability that the document was executed by Roger III. If so we have a clear succession of three Rogers. This agrees precisely with much other evidence, though some difficulties still remain to be explained.

Cartulary of
Malmesbury
Abbey. Vol.
i. p. 433.
Appendix vi,
page 102.

EUSTACE DE BERKELEY

1092-3.

"In the cartulary of St. Peter's we read, Eustace de Berkeley in the year 1093 gave back Nymdesfeld to the abbey in the time of Serlo." Who was this Eustace whom we find exercising an authority over the great Berkeley Manor? We have seen that Roger I had become a monk at the Abbey in 1091. What is more probable than that Eustace de Berkeley was his eldest son, who became provost of Berkeley on this father's retirement? But it is clear that the following year the provostship was held by Roger de Berkeley Junior, for in a list of dona-

Appendix iv.
No. 3, p. 95.

HISTORY OF THE BARCLAY FAMILY

tions to the Abbey we read: "Roger de Berkeley junior in the year of the Lord 1094 gave to God and to St. Peters of Gloucester a little piece of land called Clehungre with the consent and confirmation of King William the younger, but he stole away Nymdesfeld in the time of Abbot Serlo."

EUSTACE DE
BERKELEY,
1092-3.
Hist. et
Cart. S. Pet.
Glouc. Vol.
i. page 72.
Appendix iv.
No. 1, p. 95.

Thus we must conclude that in all probability Eustace died within a year of his becoming provost. The only other alternative is that the intervention of Eustace in regard to Nymdesfeld was purely ministerial, in virtue possibly of an order from William Rufus, who, we read, in that very year, 1093, when he thought himself dying at Gloucester, vowed that he would make restoration of all Church lands—a vow which he forgot to keep on his recovery, calling to mind the distich:

"The devil was sick, the devil a saint would be.
The devil got well but devil a saint was he."

ROGER DE BERKELEY II

We hear nothing more of Eustace, but we find Roger II holding the manor of Berkeley. We know that he is a son of Roger I, and therefore a younger brother of Eustace.

1094-1131.

Nymdesfeld seems to have been a cause of frequent dispute for many a long year. The Abbot Serlo charged Roger I with giving false information about it at the Domesday Survey, and now it is given and taken back again, apparently almost at will, by the lords of Berkeley. Their conduct in this case, and also over Shoteshore, and in other instances, proves that as young men the Berkeleys were very ready to despoil the abbeys of their possessions, and in later life to make restitution, in more than one instance entering on the "religious life" themselves.

We have seen how in 1091 Roger I on becoming a monk gave back Shoteshore, which apparently he had been holding unjustly, to the abbey. Roger II acts in precisely the same way as his father, for another entry, undated, but which cannot be less than twenty years later and probably considerably more, states: "Roger de Berkeley junior gave Shoteshore to the Abbey which he had held unjustly for a long time in the time of Abbot William." It is worthy of remark that Roger con-

Appendix iv.
No. 5, p. 95.

Hist. et
Cart. St. Pet.
Glouc. Vol.
i. 112.
Appendix iv.
No. 6, p. 96.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
II,
1094-1131.

Dr. Seyer's
History of
Bristol.

"Quod
tenuit
Sewin præ-
positos de
Bristowe de
rege
Edwardo."
Domesday.

Bris. and
Glouc. Arch.
Soc. Vol. v.
119.

Tanner's
Not. Mon.
Page 147.

Dugdale
Mon. Ang.
i. 119;
iii. 64.

Steven's
Abbeys, i.
275.

Bris. and
Glouc. Arch.
Soc., Vol. v.
p. 41.

Vide
Domesday
"Roger
holds 5
hides the
land of
Bernard the
priest."
Appendix i.
No. 4.

tinues to be called junior, no doubt because his father was still living as an old man in the monastery.

Recently Dr. Seyer in his history of Bristol started the idea that this Roger II was son of Radulfus de Berchelai, of Domesday, and identified him with "Roger the son of Ralph," the Domesday tenant of Clifton, because he considered that manor might have been given him by Roger I as a dependency of Barton of Bristol, which he is supposed to have held from the King,* *vide* Domesday. It had, however, been separated *before* the Conquest, and there is no connection traceable between the family of de Clifton, which sprang from Roger FitzRalph and the de Berkeleys. It is true that Roger II possessed the Manors of Wapley and Stanley, which had belonged to Ralph de Berkeley at the time of the survey but we may well suppose that on his death, without issue, they went to his elder brother or his heirs.

Roger II before his death was filled with zeal for the Church, for he founded and liberally endowed the priory of St. Leonard's on his manor of Stanley. The records, however, of the early history of this collegiate foundation are scanty. He dedicated it as a small college of canons with a prior at their head in the first half of the twelfth century, and endowed it with gifts of land and gave it also the advowsons of the churches of Arlingham, Slimbridge and Uley. A deed of confirmation by Theobald, Archbishop of Canterbury, signed by him in the time of Simon, Bishop of Worcester, and therefore between the years 1130 and 1149 states that the advowsons of Eston, Arlingham, Coaley, Ouselworth and Cam, together with the prebend of Bernard the chaplain in Berkeley, had been given some time previously to the priory of St. Leonard, Stanley, and speaks of Roger de Berkeley as patron of the church. Thus Roger gives back to the church the land of Bernard the priest, which his father had wrongfully held. No

* The Domesday entry upon which this supposition is based is a statement that "Rogerius" held Barton of Bristol from the King. But there is no reason for believing that this was Roger de Berkeley as has been frequently stated (Ellis, *Bris. & Glouc. Arch. Vol. 4*, 146. *Sir H. Barkly Vol. 8*, 196, etc.). He is more probably Roger de Pistres, the Sheriff. See Taylor's *Domesday Survey of Gloucestershire*, page 199.

HISTORY OF THE BARCLAY FAMILY

doubt it was an endowment for the spiritual welfare of the people on the suppression of the Berkeley nunnery.

ROGER DE
BERKELEY
II,
1094-1131.

The original foundation was probably one of Black or Austin Canons, who wore a black cassock, over it a white alb or surplice, and over all a black woollen cope with a hood. This dress is described by Chaucer in the prologue to the *Chanon's Yeoman*:

Bris. and
Glouc. Arch.
Soc., Vol. v.
p. 120.

“ At Boughten under the blee us gan a take
A man that clothed was in clothes blake,
And under that he had a white surplise :

Chaucer's
Chanon's
Yeoman.

All light for sammer rode this worthy man
And in my hearte wondren I began
What that he was, till I understood,
How that his cloke was sewed to his hood.
For which when I had long avised me,
I deemed him son chanon for to be.”

Roger de Berkeley, no doubt, came to the conclusion that such a small and unimportant foundation would have no chance of security or redress in those lawless times; he, therefore, wisely placed it, with the consent of its prior, Sabrithius, and of Simon, Bishop of Worcester, under the protection of the powerful Abbey of St. Peter's, Gloucester. It continued to be a cell of that abbey until the dissolution in 1539. At the dissolution there were only three monks in residence. The ancient Collegiate Church of Stanley St. Leonard's still exists, and certain structural features about it would seem to prove conclusively that it was built by Roger de Berkeley, for there are distinct differences between the Church of a college of canons and a monastic church of whatever order.

Vide paper
by J. T.
Mickle-
thwaite,
F.S.A., in the
Yorks. Arch.
Soc. Trans.
1877.

Although in later times monastic and collegiate church plans, through various alterations, became very much alike, yet in early days they were perfectly distinct in form one from the other. The churches of the monks, even the earliest we are acquainted with, are large cruciform buildings *with aisles*, and this original Norman plan was generally adhered to through the many changes that took place. Canon's churches, on the other hand, took as their model the ordinary parish church—in fact, most canon's churches were parish churches. The

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
II,
1094-1131.

Painted
figure of
Roger de
Berkeley.

Sir Robert
Atkins's
History of
Glouc., p.
25.

Tanner's
Not. Mon.,
etc., etc.

Vide original
Charter of
Hen. I.
Dug. Mon.
Ang., Vol. v.
page 427.
Appendix v.
No. 3, p. 98.

original Norman plan for a parish church, with very few exceptions, was a building *with transepts*, but never with aisles. On account, then, of the plan of the church of St. Leonard, Stanley, and without any other evidence, we might safely conclude that it was built not for a monastic but for a collegiate foundation. We have seen that Roger de Berkeley, the founder, himself changed the form of the institution from a college of canons to that of an ordinary monastic attachment to the Abbey of St. Peter. We may, therefore, conclude, as the church was evidently built before the change, that Roger himself built it. The church is cruciform with transepts, and a tower in the centre. Many of the original Norman windows remain, and there is much of interest in the fine old church, especially some fourteenth century paintings which have been lately uncovered. On the east jamb of the north-east window there is portrayed a standing figure, clad in flowing drapery, and holding in his left hand the model of a church, to which he points with his right; he has no nimbus and probably represents Roger de Berkeley the founder. This figure has been completely destroyed during a *restoration* of the church a few years since. Outside the church but little remains of the collegiate buildings. The extent of the cloister is shown by the corbels which supported its roof along the south wall of the nave. The most interesting relic of the priory is a chapel which still exists, though in a sadly mutilated and ruined state. It probably adjoined the prior's house. The chapel is now used as a cowshed, and the greater part of the churchyard, in spite of its being consecrated ground, and the property of the church it surrounds, is turned into a farm enclosure.

The tradition noted by most of the county historians and other writers, that Roger de Berkeley late in life entered the priory of Stanley St. Leonard's, is probably true, although no *ancient* authority can be found to decide the point.

Before Roger II assumed the cowl at Stanley St. Leonard's we find records of a transaction which led to the subsequent founding of Kingswood Abbey by his nephew William de Berkeley. This is a permission from Henry I "to alienate his manor of Acholt in perpetuity for canons or monks." But



Stanley St Leonard

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
II,
1094-1131.

Pipe Roll
xxx. Hen. I.

Pipe Roll
31 Hen. I.
"Will. de
Berckelai
reddit com-
potum de
firma de
Bercklai,
etc."

Idem.
"Ut habeat
in custodia
terram et
ministerium
avunculi
sui."

Sir Robert
Atkins gives
incorrect
and mis-
leading
translations
of the
charters.
For original
Latin
see Appen-
dix v. No. 3.

Roger's pious intention was stayed by his death, which happened before Michaelmas, 1131, judging from the Pipe Roll for that year. Some facts recorded in that roll tend to corroborate the tradition that he had previously become a monk in the Priory of Stanley St. Leonard's. For instance, "Sabricht the Canon," whose name in after years occurs as Prior of St. Leonard's, accounts for Roger's pecuniary transactions in a way that can hardly be explained on any other supposition. The principal representative of his estate is, however, his nephew William, who is credited with payment to the Treasury of a balance of £234 14s. 8d. on account of the ferm of Berkeley, an amount equivalent, at the Domesday rate, to sixteen months' rental, besides £61 15s. for the ferm of Roger's own lands. He is, moreover, said to render account of £190 (of which he only paid £40) "*that he may have in custody the land and office of his uncle.*" Despite this explicit statement, that this heavy fine was paid in order that he might be temporarily custos of the honour of Berkeley, and not by way of relief on succession thereto, this William de Berkeley is generally regarded as having inherited the possessions of Roger II, on the ground apparently, of his having been instrumental in carrying out his wishes as to Acholt by founding an Abbey at Kingswood. Yet a reference to its cartulary will show, beyond the possibility of a doubt, that the actual successor was no other than his son Roger III.

ROGER DE BERKELEY III

1131-1169.

William de
Berkeley's
letter to Pope
Innocent,
Appendix v,
No. 4, p. 98.

We find William de Berkeley administering the Manor of Berkeley at the death of the last lord, who when dying committed to him the fulfilment of his wishes as to Acholt. William appears now to act as though he were the owner of the manor, and in his own right bestows both Kingswood and Acholt on the newly introduced Cistercian order. Roger, the true heir, must have been absent at the time of the death of his father, or William would not have become acting provost. It is not likely that he was under age, for Roger II must have been over sixty when he died. It appears probable that he

HISTORY OF THE BARCLAY FAMILY

was absent from England, and it has been suggested with much plausibility that he had gone on the crusading pilgrimage to the Holy Land, for at a later date he bore on his seal a knight fighting with a lion, a device often assumed by Crusaders to typify their adventures in the East. This seal of Roger de Berkeley is of considerable interest, as being the earliest indication of armorial bearings of the house of Berkeley.

ROGER DE
BERKELEY
III,
1131-1169.



SEAL OF ROGER DE BERKELEY III

We must bear in mind that in those days coat armour had not become hereditary. We cannot hope to find the familiar *crosses pattee* and *chevron* of later times. This seal is attached to a deed of confirmation of certain lands, and is now preserved in the muniment room of Berkeley. It is of unusual size, of green wax, with the legend SIGILLUM ROGERI DE BERCHELAIA. The drawing is taken from two impressions of the same seal, from that at Berkeley Castle, which gives the lettering distinctly, although partially broken. The other, from a seal affixed to a charter now at Hereford Cathedral, showing the figures particularly well. The authorities at the British

Berkeley
Castle
charters,
No. 21.

Hereford-
shire seal of
Roger de
Berkeley.
British
Museum
personal
seals.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
III,
1131-1169.

Museum most courteously furnished a cast of this seal for the present work. By combining the two impressions in the drawing it is possible to reproduce both the lettering and figures in their original condition.

Dugdale's
Mon. Ang.
Vol. v.
p. 427.
Appendix v,
No. 6. p. 99.

No doubt Roger de Berkeley returned to claim his inheritance before the death of Henry I, in 1135, for in his charter as to Acholt he refers to his *Lord* King Henry, an expression signifying in a feudal sense that he had performed homage to him for his lands. There is, however, much difficulty in determining the dates, owing apparently to Roger and William acting concurrently for at any rate a time, though clearly there was serious dissension between them. For although we find the above-mentioned charter of Roger which must have been executed prior to the death of King Henry on 1135, yet William founded the Abbey in 1139. It would be easy to suppose that the cartulary scribe made an error in transcribing the documents, but perhaps we are scarcely warranted in thus dealing with them. The cartularies of the monasteries, however, do not carry the weight of original charters, being merely copies made by the monkish scribe.

Idem.
Kingswood
Charters.
Appendix v,
No. 5, p. 99.

Two more charters, from the Kingswood list, throw light upon the somewhat obscure history of its founder. The first of these is fortunately dated, an unusual circumstance. Roger de Berkeley in 1148 for the souls of his father and of his ancestors confirms the whole of Kingswood to the abbots and monks : "*free from all claims which William de Berkeley used to owe me for the fee of the said abbot, the monks in their chapter acknowledging me as founder of the said place.*" This is again alluded to twenty years later in a charter from Roger de Berkeley IV, who repeats the statement as to the knight's service due by William to his uncle (Roger II) and adding that the said William was present in 1148 and consented to the transfer of the foundership.

Idem.
Kingswood
Charters.
Appendix v,
No. 7, p. 100.

Pipe Rolls
16, 17, 18,
19 Hen. II.

Entries in the Pipe Rolls of a later date seem to explain the matter to some extent. Each year from 1169 to 1172 occurs the statement "William de Berkelai owes 100 shillings for right of the knights fee which Roger de Berkelai holds."

Vide
Rotullus
Cancellarii
3 Joh.

Evidently William having alienated the fee without royal

HISTORY OF THE BARCLAY FAMILY

permission had annually for the rest of his life to pay its value into the Exchequer.

Shortly after his foundation of Kingswood, William wrote a letter to the Pope, the object of which is evident when we have all the preceding information before us. We can see how he seeks to give a wrong impression concerning his cousin's tenure of the land, and attempts to bring any meddler, be he King or other, under the dreaded ban of Roman excommunication. How little he succeeded is shown from the Pipe Roll entries, and the fact of no recorded reply from Pope Innocent. The actual letter is quaint and curious. A translation is here appended:

ROGER DE
BERKELEY
III,
1131-1169.
Kingswood
Charters.

LETTER OF WILLIAM DE BERKELEY TO POPE INNOCENT.

"To the most Reverend, by Divine grace, the Lord Pope Innocent, William de Berkeley, founder of Kingswood, sendeth all reverence and obedience, and all cheerfulness due to God's high priest. The pious favour of a pastor and his affection and goodwill towards all under his care have embolden me to apply myself to the successor of St. Peter, the prince of the Apostles; your readiness to redress all complaints, and munificence in good works, assures me that I shall meet with no repulse when my requests are just; therefore that the present business may not be rendered obscure, I will upon my oath acquaint your majesty of all the particulars. Henry King of the Englishmen did for a certain price grant absolutely to my uncle Roger de Berchlai certain lands, without any other reservation only that my uncle should be obliged to settle the same on some religious persons, either monks or canons. My uncle was prevented by death, and left the estate to me, on condition to fulfil the former intentions. But lest there be any unjust demand made on those lands, he procured it to be confirmed by the charter of the said King, which is now laid before you. We, therefore, desirous to perform his will, have settled those lands descended to us from our uncle to found an abbey for monks of the Cistercian Order, which order seems to us to exceed all others in sanctity. Therefore that your authority may oblige the order to ratify and confirm the same, and that

See Appendix v, No. 4, page 98.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
III,
1131-1169.

there may never be any dissolution or infringement hereof, we do humbly implore the favour of your goodwill that this foundation may be established and corroborated by your apostolical authority, that whosoever shall hereafter make any unjust exaction or injurious claim on these lands, or against this foundation, he must at the same time violate the Roman privilege, and so may desist being frightened by the sword of excommunication.

“Farewell.”

Dugdale's
Mon. Ang.,
Vol. v, 424.

The history of the foundation of Kingswood is given at length in an appendix to the Abbey register. It appears that according to the intention of Roger de Berkeley II, it was to be an abbey of Cistercian monks from Tintern, but the abbot and most of the monks were, in the latter part of the reign of King Stephen, or in the beginning of that of King Henry II, by agreement with Reginald of Saint Walery, removed to Haselden in the parish of Rodmarten, and from thence, for want of water, in a little time they went to Tettlebury, to which place Kingswood became a grange or cell, with only a monk or two to say mass. After some attempts made by the Abbot of Waverley to place a few of his monks at Kingswood, all were compromised by the concurrence of Roger de Berkeley and Bernard de St. Walery, and the abbey was once more removed to Tettlebury to a place called Mireford in Kingswood, not far from the old site, about the year 1170.

This brief
explanation
seems
needed in
order to
make clear
some of the
charters
given in
appendix.

It was the duty of the præpositos or provost to make a bi-yearly account of all moneys received on behalf of the King to the Exchequer Court. The accounts were taken down by the scribe on leather skins and formed the well-known Pipe Rolls. They contain abundance of curious information, but are sometimes not easy to decipher, owing not only to the cramped court hand, but to the abundance of contractions and the unclassical Latin in vogue. A brief extract with translation is here given as a specimen:

Many of
the rolls
have been
printed,
some by the
Record
Commis-
sioners,
others by the
Pipe Roll
Society.

Extract from
Pipe Roll
5 Hen. II.,
i.e., 1159.

“Roger^o de Berchet deb. xl. ñi p hōie plegiato p hōie occiso.

Iđ vič reddđ comp̃ de. L. ñi de Dono Militṽ de Gloečscř. In th
liĥavit. in iiii. tat. Et Quiet^o est.”

HISTORY OF THE BARCLAY FAMILY

"Roger de Berkeley owes forty marks for suretyship for a man killed.*

ROGER DE
BERKELEY
III,
1131-1169.

"The same sheriff renders an account of fifty marks from the contribution of the soldiers of Gloucester. He discharged it into the treasury in four tallies, and is quit."

Translation
of the same.

It will be noticed that Roger de Berkeley is called Vice Comes. Originally the *Vice Comes* was the deputy of the *Comes* or Earl, to whom the counties were originally committed, but in process of time the business of the country was transferred wholly to the former. The Vice Comes or Sheriff was the first man in the county. He had large powers of jurisdiction, and preserved the rights of the Crown. He was also accounting officer to the Royal Exchequer for the revenue which passed through his hands; in early times the Sheriffs were men of high rank.

Pipe Roll
7 Hen. II.
For fuller
particulars,
see "Intro-
duction to
the study of
Pipe Rolls,"
1884. Vol.
iii, p. 97.

Such a one was Roger de Berkeley, but his high position, power and wealth did not free him from the grievous troubles incidental to a time of civil war. Robert Ricart states in his *Calendar* that Roger de Berkeley took part with Stephen. In this he is no doubt perfectly correct, yet Sir William Dugdale on the contrary says that "Roger adhering to Maud met a very hard fate." Dugdale gives a marginal reference at the passage to *Gesta Stephani*, but an examination of that curious volume shows that there is in reality no statement whatever as to the side to which Roger de Berkeley adhered, but there is much which leads us to infer that he cannot have been a partisan of Maud. Since the whole future of the family is so deeply involved in this question it will be well to consider the evidence and probability on either hand. Robert Ricart, writing about 1478, states clearly that Roger was a partisan of Stephen. Dugdale writing two hundred years later takes the opposite view, apparently through misunderstanding the writer of *Gesta Stephani*. Smyth, the historian of the Berkeleys, writing early in the seventeenth century, is of opinion that Roger was on the side of Stephen, but his testimony cannot be

Robert
Ricart's
Calendar,
about 1478.

Dugdale's
Baronage,
Vol. i, p. 350.
*Gesta
Stephani*
Edit.
Duchesne,
1846, page
119.
Appendix vii.

Smyth's
Lives of the
Berkeleys,
Vol. i, p. 3.

* We have no information as to the occasion of Roger killing the man alluded to above, but since we find from the Pipe Roll only two years later that he is again fined for killing men, we must conclude that he was a somewhat turbulent character.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
III,
1131-1169.
viz. Robert
Earl of
Gloucester.

taken as independent since he quotes from Robert Ricart. The following extract is a translation from the passage in *Gesta Stephani* which bears upon the question:

“Walter the brother of Milo, Earl of Hereford, in agreement with the Earl himself, treacherously seized upon Roger de Berkeley, a man not only uncondemned but also linked to them by a league of mutual peace, and united by a close blood relationship. They stripped him, exposed him to scorn, bound him with fetters and with a rope round his neck thrice drew him up at his own castle gates with threats that if he would not deliver the castle to the Earl he should suffer a miserable death, and when he was almost dead carried him to prison there to endure further tortures.”

Sir Henry
Barkly, who
strongly
holds that
Roger was
a partisan of
Maud.

It has been pointed out how impossible it would have been for Roger de Berkeley to have lived in peace at Berkeley on the road between Bristol and Gloucester, the headquarters of Milo, Earl of Hereford, and Robert, Earl of Gloucester, two of Maud's chief supporters, unless he had himself joined their party. But the fact is that he did *not* live in peace, and the quotation from *Gesta Stephani* seems to emphasise the lengths to which the bitter feelings in the civil war could be carried, when “a blood relation and one linked by a league of mutual peace” could thus be treated. Philip, the Earl of Gloucester's youngest son, who married Roger de Berkeley's niece, had after his father's discomfiture at Farringdon in 1145 gone over to King Stephen with Ralph, Earl of Chester, and other leading men. This may have incensed his father and led to the indignities practised on his relative Roger de Berkeley.

Hist. et
Cart. S. Pet.
Glouc., Vol.
i, p. 113.

Roger's captivity, however, could not have lasted long, for in 1146 we find him placing his priory of Leonard Stanley under the protection of St. Peter's Abbey, and two years later confirming the grant to Kingswood by the charter already alluded to.

Smyth's
Lives of the
Berkeleys,
Vol. i, p. 32.

As we might expect, Roger is now on good terms with King Stephen, and we may assign to this period the grant of free-warren from that monarch, which Smyth states was extant in the archives of Berkeley Castle when he wrote, and which he describes as constituting a confirmation to Roger and his

HISTORY OF THE BARCLAY FAMILY

heirs. A copy of this charter in a 16th century hand is now in the Library at Holkham.

1134226

We are now approaching an epoch in the history of the Berkeley family—their deprivation of the Castle and Barony of Berkeley, which never was regained. The cause leading to this has been often misstated. To understand it we must trace briefly the history of another family whose rise brought about the fall of the earlier line of Berkeley. Residing in the city of Bristol was a wealthy merchant, provost of the town, Robert Fitzhardinge by name. His father before him had occupied a large stone house in Baldwin Street, where Robert was born, towards the end of the reign of William the Conqueror. He was a man of position and power, but there is little reason to believe the tradition that he traced descent from the King of Denmark. It was a common weakness of family historians to find royal descents for their powerful patrons. In this case perhaps the evidence is as worthless as that which described Roger de Berkeley as being of the same blood as King Edward the Confessor. The earliest suggestion of the kind was made by John Trevisa, Vicar of Berkeley, 236 years after the supposed date of Harding's death.

Recent genealogists state that Harding* was a son of Alnod, a horse thane or staller under King Edward the Confessor. Here, at least, the authority of the old chronicler, William of Malmesbury, brings some corroboration.

Robert Fitzhardinge now plays an important part in the fortunes of the Berkeley family. It will be well to let Robert Ricart tell the history in the quaint language of the *Kalendar* :

“King Harry Beauclerk, son of William Conqueror, hadde a doughter callid Maude, that was his heir, whiche was weddid to themperour of Alemaigne. And after the decece of the seide Emperoure King Harry sende for his doughter home into Englonde. And bicause he hadde none othir heir, he willid and desired al the barons of Englonde to de fealte vnto the seide Maude, and to admyt hir for his heir. Amongest whome the

ROGER DE
BERKELEY
III,
1131-1169.

Loss of
Berkeley
Castle.

Robert
Ricart's
Calendar,
p. 20.

Smyth's
Lives, Vol.
i, p. 23.

Abbot New-
land's Roll
in Berkeley
Castle.

Smyth's
Lives, Vol. i,
20.

These re-
searches lead
to curious
results—the
probability
of the Fitz-
hardings
being of
Saxon origin
and the Ber-
keleys of
Norman
stock.

Robert
Ricart's
Calendar,
pp. 20, 21
and 22.

* A lengthy discussion has taken place in the pages of *Notes and Queries* on this point. Also see Eyton's *Analysis of Domesday*, and *The Dictionary of National Biography*, article 'Robert Fitzhardinge.' *Eadnoth Berkeley Family*, by W. Hunt.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
III,
1131-1169.

Hernes
signifies
what is
obedient, a
province
or lordship.

furst that swere was Stephyn Erle of Boloigne, the Kynges nevewe. So it befille that after that, Geffrey Plantagenet, Erl of Angeon, weddid the seide Maude and begate on hur a son callid Harry, whiche afterwards was callid King Harry the second. And a non after the decece of King Harry the furst, the seide Erle Stephyn breke his othe, and toke on him the crowne of Englonde vnjustly agaynst his feithe and fealte that he had made to the seide Maude, vnto whome the Realme of right aught to be conserued. Whois son Harry grew duly unto maunes state, and came into Englonde to pursewe his modirs enherytaunce and his owne right. Vnto whome Robbert the son of Hardyng assisted bi his power, and departid largely with his golde and seluer to the susteigneng of his armes. And when Harry the secounde was Kyng he forgate not the grete kyndenesse of the seide Robbert, but for the same he gave him the Barony of Berkleys hernes whiche that Roger of Berkley lorde of Dursseley hilde to fee ferme of the Kyng. And the same the King toke fro him bicause he paide not his ferme, and also bicause he toke partie with King Stephin ayenst the Kyng. Nevir the lees the seide Kinge Harry, at the instaunce and prayer of dyuers of his lordes, he graunted vnto the seide Roger the barony of Dursseley as his enherytaunce. How be it the seide Roger vexed and troubled in many sondry wises the seide lorde Robbert, for the whiche the seide Robbert besought the Kynges gode grace to take fro him ayen the seide Barony of Berkley Hernes whiche he hadde geve him, seeng he kowde not kepe it in case for troubling of the seide Roger. But then the seide Kyng Harry made peace by twene Roger and Robbert, so that Roger gave his doughtir Alice to wife vnto Morice son of Robbert, and gave with hur the towne of Slymbrugge, and made double maryages bi twene their bothe children, and fynall peace bi twene them. Whiche mariages, covenants and peace bitwene the seide Robbert, son of Hardyng, and Roger of Berkley, lorde of Dursseley were made in the hows of the lorde Robert, son of Harding, at Bristowe, in presence of King Stephin and of the lorde Harry, Duke of Normandy, and of Gyayne and Erle of Angeo, in presence of many othirs, lordis and knyghtes spirytuell and temporall."

HISTORY OF THE BARCLAY FAMILY

Two causes combined to bring about the great disaster of the loss of Berkeley. Owing to Roger's adherence to Stephen he had declined to pay his yearly dues to Maud, or to her son, Henry, Duke of Normandy; while, on the other hand, Robert Fitzhardinge, the wealthy merchant of Bristol, had largely assisted Henry with pecuniary aid. The two charters by which Roger was divested of his inheritance are still extant in the archives of Berkeley Castle. The first, although not dated, was probably granted in 1153, for Henry landed in England from Normandy on January 6th, 1153, and is known to have visited Bristol before June. It is probable that this charter was granted during that visit. By this document Henry granted to Robert Fitzhardinge the manor of Bilton, and a hundred librates of land in the Manor of Berkeley to hold by the serve of two mewed* hawks with an undertaking to build a castle at Berkeley according to the taste of the said Robert. Of this charter Smyth quaintly remarks :

ROGER DE
BERKELEY
III,
1131-1169.

Appendix iii.
No. 1, p. 96.

"How great a reputation a charter of such an extraordinary quality brought to this Robert, and what an opticke glasse it remaynes to shewe the honor of his person and greatness of his purse let others observe."

Smyth's
Lives of the
Berkeleys,
Vol. i, p. 23.

But the second deed, executed probably the same year, for Henry visited Bristol in November, 1153, is far more sweeping. He then grants to Fitzhardinge the whole of the Berkeley manor, and all Berkeley Hernes to hold in fee at the merely nominal cost of one knight's service.

The Duke, who at first had altogether dispossessed Roger de Berkeley, gave way to the wishes of his lords and permitted him to retain the Barony of Dursley, where he built a castle which for many a generation was the "caput Baronie" of the family. For the future he is known as Roger de Berkeley de Dursley. We cannot, however, conceive the sturdy Crusader being dispossessed so easily of his inheritance, and the few brief words of Ricart's quaint story give some indication of a long series of reprisals. We can imagine how "the seide Roger vexed and troubled in many sondry wises the seide lorde

* Hawks which had been mewed or confined for moulting operations, hence hawks which had finished their moulting and were in good condition.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
III,
1131-1169.

Robbert, for the whiche the seide Robbert besought the Kynges gode grace to take fro him ayen the seide Barony of Berkley Hernes which he hadde geve hime, seeing he kowde not kepe it in ease for troubling of the seide Roger."

Virtually, therefore, if not in act he dispossessed the Fitzhardings, and only by terms of agreement were they permitted to remain at Berkeley.

*Vide Report
Royal Com-
mission on
Hist. MSS.,
Vol. iv, p.
363.*

*Charter at
Berkeley
Castle.*

The history of this agreement is full of curious romance. In October, 1153, King Stephen and the Duke came to terms, and it was arranged Stephen should possess the crown during his lifetime, but Henry's right to dispose of the lordship of Berkeley appears to have been in some sort admitted, for King Stephen confirmed the grant by Henry, Duke of Normandy, of Almondsbury and Ashelworth, both in the honour of Berkeley, to St. Augustine's, Bristol.

But with respect to the lordship of the Royal Manor of Berkeley, both Henry and Stephen who came into the neighbourhood shortly after Christmas, took part. It was undoubtedly at this time that Fitzhardinge besought Henry to take back the barony of Berkeley, as the ousted Roger proved so turbulent a neighbour.

*Appendix iii,
No. 2, p. 91.
Smyth's
History of
the Hundred
of Berkeley,
p. 326.*

The Duke, who invited both parties to meet him at Bristol, hit upon the plan of the double marriage between the sons and daughters of the two antagonists. The marriage covenant, executed in the presence of King Stephen and Prince Henry, Duke of Normandy, is still in good preservation in Berkeley Castle. The full text in Latin is given in the appendix but a rendering into English made by the Abbot Newland about the year 1520 is here annexed; the quaint old wording of the Abbot seeming to suit the antiquity of the document better than a new translation into modern English:

THE MARRIAGE COVENANT

*Bris. and
Glouc. Arch.
Soc., Vol.
xiv, p. 122.*

"This ben the covenantes that wer made atwixe Sir Robert fizherding Lord and Baron of Berkley and Sir Roger of Berkley lord and Baron of Dursley, in the house of Sir Robert fizherding at Bristowe. And in the presence of Kyng Stevyn and of the Harry then Duke of Normandy and Earle of Angewe and

HISTORY OF THE BARCLAY FAMILY

by his assent, and in the presence of many othirs bothe clerkes and Laymen. Morice the son and Eyre of Sir Robert fizherding shall take to his wife Alice the doughter of Roger of Berkley Baron or Dursley And the saide Roger shall give to the saide Morice in marriage with his saide doughter Slymbrigge whiche is of his heneritance that is to wete x^{li} worthe of lande. And this Morice by consent of Sir Robert his fader hath geven un to the doughter of Roger that he shall take to wife for her dower xx^{li} of lande of the fee of Berkeley bi the agreement of the foresaide lor Duke Harry And under this condicions and covenantes. That if Sir Morice the son and eyre of Sir Robert fizherding shall happe to decesse ere he shall wedde the doughter of the said Roger, that then his next brother and Eyre shall take the saide Alice to his wife according to all the foresaide convencions. And if so the second son of the saide Sir Robert fizherding shall fortune to decesse before he shall wedde the doughter of the saide Sir Roger that then who so evir of the sonnes of the sayd Sir Robert fizherding shall remayne to be his Eyre shall take to wife the doughter of the saide Roger. And of likewise if the elder doughter of the sayd Sr Roger shall fortune to decesse afore that she be weddid to Morice the son and Eyre of Sir Robert fizherding or to enyothir of his bretheren that shall remayne Eyre after him that then the elder doughter levyng and remaynyng of the saide Roger shall be geve to wife un to the son of Sir Robert fizherding which levith and shall remayne his eire. Furthermore the son and Eyre of Roger of Berkley Baron of Durseley shalle take to wife in like forme on of the doughters of Sir Robert fizherding. And the sayd Roger shall geve in mariage to the doughter of Sir Robert fizherding for her dowery the Manor of Siston of Bristow the which maner is of the heneritance of the saide Roger. And Sir Robert fizharding shall geve in mariage with his doughter to the son of the saide Roger x^{li} and x^s worthe of lande at Dursley And with this condicion, that if on of the doughters of Robert fizherding decesse afore she be weddid to the son and eyre of the saide Roger, that then the othir doughter of the saide Sir Robert fizherding shall be geven wife unto him. And if hit so shall fortune that bothe the doughters

ROGER DE
BERKELEY
III,
1131-1169.

*The marriage
covenant.*

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
III,
1131-1169.

*The marriage
covenant.*

of Sir Robert fizherding decesse afore eny of them bee married un to the Son and Eyre of the saide Roger, that then his Eyre shalle take to wife the doughter of Hew of Hasele Nece of the said Sir Robert fixHerding. Of like wise if the first gotten Son and Eyre of Roger of Berkley Baron of Dursele decesse afore that he marye with eny of the doughteres of Sir Robert Fizherding or of the saide Hew of Hasele then that brothir that shall remayne to be the Eyre of the said Roger shalle take to wife on of the doughteres of the said Sir Robert fizHerding. And if thei decesse all or that eny of them shalbe married, that then the Eyre of the saide Roger shall take to his wife the doughter of the said Hewe of Hasele nece of the saide Sir Robert fizHerding according unto all the foresaide covenantes. And all these foresaid covenantes have sworn feithfully to holde, kepe and performe without eny fraude or deceyt the foresaide Sir Robert fizherding and Roger of Berkley Baron of Durseley, and thei have putte Harry Duke of Normandy afore-said for plegge and for juge atwixe them of all these foresaide Covenantes trewly to be performed atwixe them. To thes Covenantes wele and trewly to be observed have sworn also viij noble men of the party of Sir Robert fizHerding. And also viij noble man of the party of the saide Roger, whos names ben those of the party of the sayd Roger, William the son of Duke Harry of Normandie aforesaide, Roger of Shay, Rafe of Tweley, Walberyne, Engewald of Gosynton, Guydo of Stone, Gwafere of Planca, Hew of Planca his brothir. And of the partye of Sir Robert fizHerding these ben their names, Hew of Hasele, Nigelle fizArthure, Robert of St. Maryes, Elias the brother of Sir Robert fizHerding and Jordane his brothir, Jordane le Fayre, Richard fizRobert and David Duncépouche, And these forsayd men with all their strength shall holde and kepe the foresaide Sir Robert fizHerding and Roger in all these foresaid Covenantes trewly to be observed, that if so the foresaide Robert and Roger would go from the foresaide Covenants thei shall constrayn them with all their power and myght to hold and kepe them. And if they wulde at eny tyme dissent, these foresaide noble men of their service and love shalle reduce them therunto. And for thes Covenantes afore-

HISTORY OF THE BARCLAY FAMILY

said wreten, the foresayd Roger of Berkley Baron of Dursley hathe relesid and quyete claymed al maner of chalange and right that he had in the Fee ferme of the Barony of Berkeley.”

ROGER DE
BERKELEY
III,
1131-1169.

It is strange that in the agreement the names of Roger's son and of FitzHardinge's daughter are not given, but we know from documents of which particulars will be given later that the son of Roger III was Roger IV, and that Elena was the name of his wife. The singular experiment of such a double union of the antagonistic families proved, contrary to what we might have expected, a complete success, for we find the succeeding generations living in friendship and harmony. For we find them witnessing each other's charters, and making donations to each other's Abbeys, Roger to St. Augustine's, Bristol, and the Fitzhardinges to Kingswood.

Pipe Roll,
22 Hen. II.

Vide
Kingswood
Cartulary,
and
Berkeley
Charters,
Nos. 26, 53,
54, 55, 56,
58, etc.
The Fitz-
hardinges
take the
name of
Berkeley.
Testa de
Neville,
p. 77.

The Fitzhardinges held the Castle of Berkeley with the bulk of the Royal Manor, and eventually took the name of Berkeley, while the remainder, together with their other Gloucestershire Manors of Dodington, Cobberly, Wapley and Stanley, were erected by the King into a military fief, and held as the honour of Dursley by Roger de Berkeley and his heirs. Roger may have acquiesced in the arrangement with the less reluctance when he thought of his daughter Alice as mistress in the old home, but doubtless it was a severe blow to him to lose the Baronial Castle of Berkeley.

Alice de Berkeley survived her husband Maurice Fitzhardinge for many years, and we find a variety of grants executed by her. The original documents preserved at Berkeley Castle consist chiefly of grants to her sons and other persons of various lands and houses.

“Berkeley
Charters,”
pp. 24-25.

To some of these charters her brothers Roger de Berkeley of Dursley, Philip and Oliver de Berkeley are witnesses. Her name is spelt in a variety of ways, Aaleis, Aeliz, Aelesia, etc. In one case she is described as “widow of Maurice de Berkeley.” Her seal is appended to some of the deeds, usually an impression upon white wax.

Appendix iii,
5 to 10, p. 93.
Charters by
Aaleis de
Berkeley.

Smyth observes: “Shee was a lady of great vertue, and went to her grave loaden with many good works; and among others,

Lives of the
Berkeleys,
Vol. i, p. 73.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
III,
1131-1169.
Slimbridge
had been a
portion of
her Dower.

to Elia the son of Toky her nurse, shee gave a messuage and half a yard land in Slimbridge in ffee simple, and to have her grist ground toll free at hir mill there next after her owne corne that then should bee upon the mill in grindinge."

She bestowed many gifts also upon the religious house, for which devotion the Abbot Newland highly commends her in the doggerel lines :

Abbot New-
land's Roll.

" If weomen all were like to thee
Wee men for wives should happy be."

Testa de
Neville
Pipe Rolls,
Liber Niger.

Dugdale's
Baronage,
Vol. i, p.
351.

Hist. et Cart.
S. Pet.
Glouc., Vol.
ii, p. 106.

Pipe Rolls,
507 Hen. II.
Appendix.

Liber Niger
of the
Exchequer.

Roger de Berkeley lived for about sixteen years after his deprivation of Berkeley, for we find various entries of his name among the records of the Exchequer. Though deprived of Berkeley, he was still a man of great wealth and position, and Dugdale is mistaken in assuming that owing to the deprivation he ceased to hold Baronial rank for there is distinct proof that he was officially included among the King's Barons when summoned to the Great Council held by Henry II at Gloucester in 1157 to decide a dispute between the See of York and St. Peter's Abbey, Gloucester.

Roger still retained jurisdiction over a part of the hundred of Berkeley, for we find in the Pipe Rolls for 1159 and 1161 his accounts rendered.

In 1165 returns were made to the King as to the number of Knights' fees held throughout the county. These documents are preserved in the *Liber Niger* of the Exchequer, and we find that Roger was in possession of enough to constitute a fair Barony. The following is a translation of Roger's report :

CERTIFICATE OF ROGER DE BERCHLEY

Bris. and
Glouc. Arch.
Soc., Vol.
xiv, p. 299.

Let my Lord the King know, that I, Roger de Berchley, have two knight's and a half enfeofed of the old feoffment, whereof,

1	Michael holds	1 hide
2	William son of Baldwin	2 hides
3	Helyas de Boivill	1½ hides
4	Hugh de Planta	½ hide

and from these you have an entire knight.

HISTORY OF THE BARCLAY FAMILY

For making up the half—

5	Ralph de Yweley	$\frac{1}{2}$ hide
6	The wife of Ralph Cantileve	1 hide
7	Roger de Albamara	1 virgate
8	Simon de Coveley	1 virgate
9	The Prior of Stanley	1 virgate

ROGER DE
BERKELEY
III,
1131-1169.

and here you have half a knight.

For making up another knight—

10	Walter de Holecumbe holds	$3\frac{1}{2}$ hides
11	Gerard	$3\frac{1}{2}$ hides
12	Reginald de Albamara	3 hides

And so these three hold ten hides, whereof they are unwilling to do service to me except for 3 virgates—viz., each for 1 virgate and so you have two knights and a half enfeoffed.

*Roger's
Certificate of
Knights' Fees
from the
Liber Niger,
1165.*

No new one have I enfeoffed in my time.

If it be pleasing to your mind to hear about my demesne.

In my Manor of Cobberley I have two knights' fees.

At Stanley one knight's fee, with one hide at Codrington.

In Niveton I have one knight's fee.

In Dursele one hide

In Osleworda half a hide

In Duddinton three hides and a half.

In Slimbrigge three hides, which I with your assent gave to

Maurice, son of Robert, whence I have no service.

Kingswood, the white monks, hold of the gift of William de Berckley, for which I do you an entire knight's service, although they wish to do none.

Many of the Barons in making their report address the King as their "dearest lord," or "most beloved lord," so that this brusque epistle is somewhat marked. Roger could not forget how the King had deprived him of his paternal inheritance.

With regard to the report itself we may notice that Hugh de Planca and Ralph de Uley had been among his sureties in the marriage covenant with Robert Fitzhardinge in 1153.

The mention of the gift of William de Berkeley to Kingswood will be noted, and Roger's mild protest against the en-

*Liber Niger.
See Bris.
and Glouc.
Arch. Soc.,
Vol. xiv,
p. 317.*

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
III,
1131-1169.

The piece
of land men-
tioned in
Domesday.

Registrum
Malmes-
burieuse,
Vol. i, p.
433, No.
xcviii.
Appendix vi.

Idem.

i.e., forfei-
ture.
Atkyns's
Glouc.
Dugdale's
Monas.,
Vol. iv, p.
563.

*Blunt's
History of
Dursley*
states 1170,
but gives no
authorities.

quiry into his demesne lands. Robert Fitzhardinge in his certificate at this time says : "Know ye that I owe you the service of 5 knights from Berkelai, but Roger de Berkeley holds land of the honour of Berkeley for which he does me no service, to wit Osmorde and all the fee of Bernard the Chaplain."

Roger de Berkeley admits holding two and a half fees of the old feoffment, and also of the new, five fees, together with nine hides, or close on two fees more, in demesne, making a total of nine fees. But he appears to have been dealt with leniently, for we find he had in 1168 to pay 100s, or seven and a half marks, for the aid then levied at the rate of a mark per fee. The Barony of Dursley continued to be rated at $7\frac{1}{2}$ fees till the close of the century.

We must here again make mention of two deeds in the Malmesbury Cartulary, since they may be assigned to his period.

They have already been quoted as affording valuable evidence in establishing the succession of the three Rogers, for we find a certain Roger de Berkeley confirms to the Church of St. Adhelm a hide of land in Cuderintone which *Roger his grandfather* and *Roger his father* had granted to the church. In the second charter, Roger, apparently the son of the preceding, gives and confirms to the same the hide in Cuderintone "which the monks had held of the gift of his ancestors from olden time." Though both the charters are undated, we may with strong probability assign the first to Roger III, and the second to his son Roger IV; for it is clear that the latest of the two must have been executed considerably prior to the close of Henry II's reign, because the Manor of Wapley, of which Codrington was the chief vill, had ere that time passed by marriage or escheat from the Berkeleys to Ralph Fitz-Stephen, who shortly after 1189 took it from Malmesbury, and bestowed it for the benefit of the late King's soul on the Abbey of Stanley in Wiltshire, who retained possession of it, until sold by the monks in the twenty-third year of Henry VI to John de Codrington.

Roger de Berkeley's death took place about the year 1169. He was living in 1168, for his son concurred with him in that year

HISTORY OF THE BARCLAY FAMILY

in the transfer of Kingswood. But in 1170 we find his son Roger IV confirming grants. Thus Roger III must have died between the two dates, leaving several sons *beside his heir*.

ROGER DE
BERKELEY
III,
1131-1169.

ROGER DE BERKELEY IV

Roger de Berkeley, the fourth of the name, as we have already heard, played a somewhat important part in the disposal of the family estates; for by the deed of agreement entered into at Bristol in the year 1153 before King Stephen and Henry Duke of Normandy he covenanted to marry Elena, daughter of Robert Fitzhardinge. We may conclude that they were both of tender age at the time, as a special stipulation was entered into that should either of the contracting parties die before the formal espousals, his or her place is to be taken by the next brother or sister in seniority, and in case none of Elena's sisters were to be had, her place is to be filled by the daughter of Hugh de Hasele, niece of Robert Fitzhardinge. There was no need, however, to act upon this stipulation, for Elena became Roger's wife in due course.

Roger de
Berkeley IV,
de Dursley,
1170-1190.

The marriage
covenant,
p. 38, and
Appendix iii.
No. 2.

Shortly after Roger's succession to the lordship of Dursley we find from an entry in the Pipe Roll that he was heavily fined for a transgression of the forest code. The precise offence is not noted but we read: "Roger de Berckelai the father renders account of 40 marks of mercy, for the forest. Roger de Berckelai the son renders account of 100s. for the same." Probably they had been making too free with the King's deer, a most serious matter in those days. The slaughter of a man could be atoned for by a comparatively slight fine, whereas those accused of trespassing in the King's forest and killing his game were liable to heavy amercement.

Pipe Roll,
22 Hen. II.

This entry
gives clear
evidence of
a 5th Roger
de Berkeley.

We may here bear in mind that the cousins of Roger de Berkeley settled in Scotland had risen to positions of eminence and note. Walter de Berkeley was now Chamberlain to William the Lion, and had been taken prisoner with his Royal master at Alnwick in July 1174. During his detention in England very probably he had some communication with his Gloucestershire relatives. Some intercourse at any rate may be

Chronique
de la guerre
entre les
Anglais et
les Ecossais,
par Jordan
Fantome,
Edit. Pelle-
chal, Paris,
1839.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
IV, DE
DURSLEY,
1170-1190.

Liber S.
Thomæ de
Aberbrothæ.
Vol. i, No.
72
(Bannatyne
Club).

inferred since within two years of Walter's return to Scotland Roger is found in his company at the Scottish Court. Both appear at Perth in 1178 as witnesses to a charter of King William by which he granted the lands of Monethin to the Abbey which he had just founded at Arbroath in honour of St. Thomas a Beckett. The precedence allotted to Roger de Berkeley is such as to show that he could be no less a person than the Lord of Dursley. His name precedes that of his cousin Walter, who in virtue of his office of Chamberlain ranked next to the Earls and before all the other Barons. The name of Roger de Berkeley occurs in two other Scottish chartularies. In the *Munimenta de Melros* as a witness to a charter of Patrick de Riddell concerning a grant to that Abbey, and in the *Registrum Abbatie de Kelchou*, to the Charter of Alan, son of Walter, Steward of Scotland. The former may have been executed in 1178 during the visit already referred to; but the latter was certainly not at an earlier date than 1190, as it contains a clause fixing the term from which an annual rent of 20 shillings was to be paid in these words: "inceptus autem terminus ad festum Sci Martini proximum p q Phillip Rex francie et Ric Rex Anglie iuerunt ierosolinam. Q'fuit anno millesimo centesimo nonagesimo ab incarnatione Dni." It seems more probable that the witness in this case was not Roger IV but his son Roger V, who we know was absent from home about this period, for he was not a witness to his father's final charter to Kingswood.

Registrum
Malm-
burieuse,
Vol. i.

Register of
Kingswood
Abbey.
Mon. Ang.,
Vol. i, p. 424.

Dugdale's
Mon. Ang.,
Vol. vi, p.
339.

Roger de Berkeley IV soon, however, returned home from Scotland, for we find records in the Abbey Cartularies of his presence in Gloucestershire. He confirms his father's gifts to Malmesbury Abbey, and ratifies the agreement with Bernard de St. Walery as to land for rebuilding Kingswood. He, moreover, gives several small plots of ground at Doddington and elsewhere to the Black Canons of Bradenstoke Priory, Wilts, founded by Walter de Evreux in 1142, and further did his best to settle a dispute between the Abbeys of Gloucester, Reading and Bristol as to the Churches of Berkeley Hennesse.

At a later period of his life Roger renewed in the fullest terms and in the presence of several members of his family the

HISTORY OF THE BARCLAY FAMILY

grant to the monks of Kingswood, originally made by William de Berkeley half a century earlier. The witnesses include Robert de Berkeley his nephew, Philip and Oliver his brothers, and William his son. The nephew, who thus occupies the place of honour was, it need hardly be said, his sister Alice's eldest son by her husband Maurice Fitzhardinge, who had a few years prior to his death in June, 1190, assumed the surname of "de Berkeley." This assumption appears to have met with no severe protest from the ancient possessors of the name, and clearly in no way disturbed the peace of the family. This is evident not only from the charter alluded to above, but also from another whereby Robert de Berkeley confirmed a gift to the Abbey of Kingswood, the first witness to which is described as "Roger de Berkeley my uncle."

Elena the wife of Roger de Berkeley is stated by Smyth to have lived till 1209. But it is difficult to assent to this in view of an entry in one of the Kingswood Charters. Roger speaks of the souls of his wives, clearly showing that he had been twice married.

There is strong probability, almost amounting to certainty, as we shall presently see, that he died before 1191. Smyth must therefore be incorrect in his statement, for the other alternative is certainly inadmissible—viz., that he was a widower when he wedded Elena. The language of the marriage contract precludes such an idea.

Very little is known of the brothers of Roger de Berkeley. No doubt Philip de Berkeli, whose name appears in the charters * of Kingswood Abbey as father of a Roger and grandfather of a Nicholas, who under the designation of de

* These *original* charters were offered for sale a few years since by Quaritch of Piccadilly. The present writer made an attempt to purchase them in 1895, but the price demanded was excessive. The collection consisted of 48 original charters and other documents, commencing with a grant of Isobel de Longchamp in 1225 and ending with a rent roll of the abbey of 1444. They formed part of a larger collection brought from Condover, the seat of Mr. Cholmondeley, the lineal descendant of John Smyth, and doubtless had been in his possession. Quaritch's list gives a brief account of each charter with its import and the names of the witnesses. We find Oliver de Berkeley repeatedly as witness, also Philip de Berkeley and his son Roger of Newentun and *his* son Nicholas of Newentune. Vide appendix V.

ROGER DE
BERKELEY
IV, DE
DURSLEY,
1170-1190.

Fosbroke's
Lives of the
Berkeleys.
He cites the
Register of
St. Augustine's, sub
anno 1175.

Register of
Kingswood
Abbey.
Appendix v.

The Fitz-
hardinges
assume the
name "de
Berkeley."
Vide Pipe
Roll 33,
Hen. II.
i.e. (1187).

Vide Charter
in 5th
Report
Royal Com-
mission on
Hist. MSS.

Smyth's
Lives of the
Berkeleys,
Vol. i, p. 56.

Kingswood
Charter,
No. xii.

Sir Robert
Atkyns, to
avoid the
difficulty,
translates
"uxorum
mearum,"
my wife.

These
charters are
printed in
full in *Bris.*
and *Glouc.*
Arch. Soc.,
Vol. xxii, p.
179.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
IV, DE
DURSLEY,
1170-1190.

5th Report
of Royal
Commission
on Hist.
MSS.

Rotulli
Cancel-
larii. Rolls
Series.

Eyton's
Shropshire
Antiquities,
Vol. v, p.
346.

Pipe Roll,
2 Ric. I.
i.e., 1191.

Pipe Roll,
22 Hen. II.

Newington, were benefactors to Kingswood during the first half of the thirteenth century.

Oliver de Berkeley was the Oliver who likewise witnessed his nephew Robert de Berkeley's (Fitzhardinge) charter, and was Deputy Constable of Bristol under him in 1202. He appeared at Westminster Hall at Easter term in 1200 as "essoniator" for Richard de Clifford, in his suit with his eldest brother Walter de Clifford. The former was married to Letitia, a daughter of Roger III, and as these Cliffords were fair Rosamund's brothers, this connection perhaps accounts for favour shown by Henry II to the Dursley line early in his reign. One other son, William by name, is mentioned in the Kingswood Charter, and described by Roger IV as "my son."

From the Pipe Roll of the second year of Richard I a payment of 100 marks as "Relief" is accounted for by a Roger de Berkeley. Doubtless this was the payment for succession by Roger V, the son of Roger IV, and therefore fixes the date of the latter's death as prior to 1191. We know from the entry on the Pipe Roll concerning the forest fines that the son of Roger IV was named Roger, and hence we are warranted in naming him as successor to the lordship of Dursley.

ROGER DE BERKELEY V

1191-1220.

Pipe Roll,
2 Ric. I.

Pipe Roll,
6 Ric. I.

Pipe Roll,
8 Ric. I.

Pipe Roll,
1 John.

Pipe Roll,
13 John.

Roger V, as shown by the Pipe Roll already mentioned, succeeded his father about the close of the year 1190 or the beginning of 1191. We must therefore assign as relating to him several references in the subsequent rolls. In 1195 he paid 40 marks as scutage for not attending the King in Normandy. In 1197 he gave 60 marks for licence to marry "Hawise Paynel the mother of Ralph de Somery."

In 1199 he paid 40 marks for eight knights' fees, which he held in demesne, that he might not be compelled to go beyond the sea with horse and arms.

In 1212 he paid £7 10s. on levying a scutage for Scotland, and 15 marks for that of Wales, and about the same time it was certified that there belonged six knights' fees and a half to his honour of Dursley. We thus see how his property had de-

HISTORY OF THE BARCLAY FAMILY

creased, possibly owing to extravagance. He had not, indeed, inherited the whole of his father's lands. We find that Robert, a younger brother of Roger V, held a knight's fee of the honour of Dursley *in capite*, and that he likewise was so well off as to be able to settle the annual revenue of £4 derived therefrom upon his sister Isabella on her marrying Thomas de Rochford, confirming the gift on her remarriage with William Walerand about 1206. This fee, however, was ordered by the Sheriff to be restored to the Berkeleys of Dursley eighteen years later.

Roger V appears to have become involved in serious pecuniary difficulties for his manors of Dursley, Stanley and Dodington were heavily mortgaged to the Jews of Bristol and Gloucester. In 1208 he paid 60 marks to the King for an enquiry to ascertain their yearly value, which he agreed on the lands being restored to him to pay so long as his debt remained unliquidated. Evidently he was in no haste to pay his debt for seven years later a Royal Mandate is put forth as to a sum of 200 marks which Robert de Berkeley had paid to the King on account of his brother Roger's debts to the Jews. We have no clue as to the origin of these debts. Many of the Barons of that day had pledged their lands in order to raise funds for equipping themselves and their retainers for the Crusades, and we may not unnaturally suppose Roger may have been of the number as he was evidently absent from Gloucestershire in 1190, or his name would no doubt have been included with his father and brothers in the Kingswood Charters. Roger's name, moreover, does not figure in the Gloucestershire Scutage Roll of that date, which looks as if he had assumed the Cross, since it is hard otherwise to imagine how he could possibly be entitled to exemption. Nor does it appear again until 1195, after the King had been ransomed from captivity, when Roger gave 40 marks for not attending him into Normandy. Whether he served under Richard Cœur de Lion in Palestine or not, he appears to have been in Royal favour, for two years later he obtained for a very moderate consideration licence to marry Hawise* the widow of John de Someri, the

ROGER DE
BERKELEY
V, DE
DURSLEY,
1191-1220

Close Rolls,
8 Hen. III.
printed
1833-4.

He was no
doubt the
Robert de
Berkeley
who held
lands in
Frampton
under
Richard de
Clifford.
Cart. St.
Pet. Glouc.

Roll of
Oblations
and fines,
9 John.
Also see
Madox,
History
of the
Exchequer.

Close Roll,
16 John.

Kingswood
Charters,
Appendix v.
Fosbroke's
Gloucestershire,
Vol. i, p. 14.

Pipe Roll,
6 Ric. I.

* Smythe makes a very remarkable blunder in stating that this very Hawise married Roger son of Nicholas, son of Robert Fitzhardinge.

HISTORY OF THE BARCLAY FAMILY

ROGER DE
BERKELEY
V, DE
DURSLEY,
1191-1220.

Lipscombe's
History of
Bucks.
Tykeford
Priory in
Dugdale's
Monasticon.

Feet of Fines,
Octave of
S. Mark.
5 Hen. III.

5th Report
Royal Com-
mission on
Hist. MSS.

Ibidem.

Rot. Litt.
Clausarum.
5 Hen. III.

representative in the female line of the great house of Paganel or Paynel. It may seem strange at first sight that Roger's pecuniary difficulties did not disappear on his making so splendid an alliance, but it may be that he was obliged to adopt a more expensive style of living. The greater part of John de Someri's property went to his son, but Hawise acquired a life interest in the Barony of Newport Pagnel and other lands, which were shared by her husband. She speaks of Roger in a charter still extant, with every token of respect, but he evidently retained no interest in her property after her death, which took place in 1209.*

After the death of Hawise Paynel Roger de Berkeley married a lady of the singular name of Letuaria, but Henry, who succeeded him, was his son by Hawise, or possibly by a former wife, as Hawise must have been forty by the time he married her.

We learn from a charter of Robert de Berkeley (Fitzhardinge), of which more hereafter, that Roger V had, like his father, two brothers named Philip and Oliver, for they sign as witnesses. The latter is also found attesting Kingswood Charters down to 1243, when the preceding bearer of the name would have been a hundred years old.

Roger's death occurred prior to May 4th, 1220, for at that date we find his son Henry in possession of the Dursley Barony.

HENRY DE BERKELEY DE DURSLEY

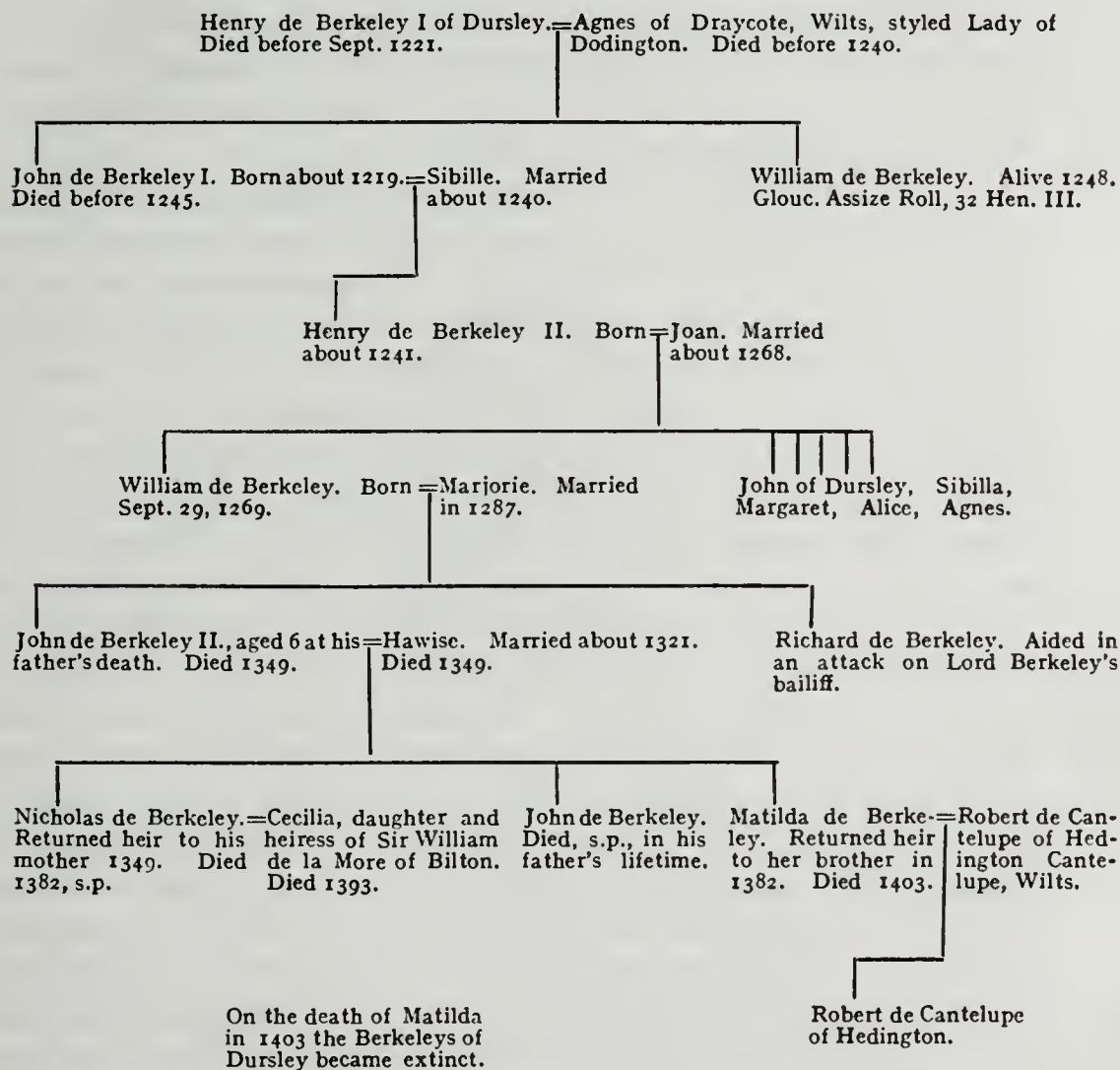
1220-1221.

We have now traced the Berkeley family through five generations from Roger de Berchelai of Domesday Book, with a minuteness of detail which may well occasion surprise when we remember that we are dealing with the history of a private family of eight hundred years ago. It will be sufficient in tracing the succeeding generations, until the final extinction of this early line in the fifteenth century, merely to give a brief sketch

* "Sciant tam presentes gnam futuri gnod ego Hawis Paynel, consilio et voluntate domini mei Rogeri de Berkele dedi Deo etc." In a previous charter she speaks of John de Someri as only "Vir Meus."

HISTORY OF THE BARCLAY FAMILY

Continued from Pedigree
facing page 18.



PEDIGREE OF THE BERKELEYS OF DURSLEY

HISTORY OF THE BARCLAY FAMILY

HENRY DE
BERKELEY
I, DE
DURSLEY,
1220-1221.

of their history, although we have materials collected and at hand for an even more detailed account than has been given of the five successive Rogers. This method of treatment will undoubtedly be the more satisfactory, since it will avoid an elaboration which might prove tedious, and of no special value, when we remember that the Scottish and English Barclays of modern times do not trace their descent through the Berkeleys of Dursley or Cubberley, but that in all probability they are descended from John de Berkeley, a younger son of Roger de Berchelai, the founder of the family.

Before turning to the successive generations with which we have to deal it will be a matter of some interest to examine the social status of these De Berkeleys. We must remember that in theory all lands were held from the Crown, some as a military fief, others, such as Berkeley, on a fee farm rent. This mode of tenure, which was that by which the domains of the Crown had been held under the Saxon Kings, was left unaltered by the Conqueror, and although in after days, when the feudal system had become fully developed in England, it was characterised by writers on the subject as less honourable than tenure by the sword, there is no proof that it was originally regarded so, some of William's principal followers having accepted large grants under it. Practically the rights and privileges exercised by the Berkeleys appear from the first to have differed in no respect from those incidental to military tenure. We find them making grants of lands to different monastic houses. These donations had indeed to be confirmed by the King, but the Royal Confirmation would have been equally needed if the Manor had been held as a military fief, and we conclude that the position of the family is such that Dugdale was not mistaken when he included this early house of Berkeley in the English Baronage, and if he erred at all, did so in assuming that on forfeiting the Barony of Berkeley they ceased at once and altogether to hold baronial rank. Playfair, in his *British Family Antiquity*, says that they were in the position of Earls. There is proof that the third Roger was officially included among the King's Barons when summoned to the Great Council held by Henry II at Gloucester, three years

e.g., Roger de Ivry and Roger d'Oilly in Gloucestershire, *vide* Domesday.

Dugdale's Baronage.

Playfair's British Family Antiquity.

HISTORY OF THE BARCLAY FAMILY

after his accession, to decide a dispute between the See of York and St. Peter's Abbey, Gloucester. It must also be an assured fact that the kinsmen of Milo, Earl of Hereford, hereditary Constable of England, and of Robert, Earl of Gloucester, the most powerful subject in the kingdom, were men who held a high and influential position in the county.

It is a matter of interest to find among the Gloucester Corporation records a dedication of certain lands to charitable purposes by Henry de Berkeley of Dursley, date 1220. To this deed is appended a small seal impressed on dark green wax. It bears the figure of a mounted knight in full armour

HENRY DE
BERKELEY
I, DE
DURSLEY,
1220-1221.

The son of
Robert,
Earl of
Gloucester
married a
niece of
Roger de
Berkeley.

Gloucester
Corporation
Records.



SEAL OF HENRY DE BERKELEY

brandishing his sword, his charger, which is galloping, being caparisoned as if for a tournament. His housings are embroidered with armorial bearings, *two lions passant*. The legend in the broad garter encircling the design is somewhat roughly cut, and the lettering interrupted by the hoofs of the horse. It reads S HENRICI DE BERKELEYE. There were two Lords of Dursley who bore the name of Henry. The first died in 1221. The second Henry, his grandson, came of age in 1262 and held the lordship till his death in 1287. It is clear that the grantor of the Charter was the earlier, since the name of the Sheriff is given, whose date is known.

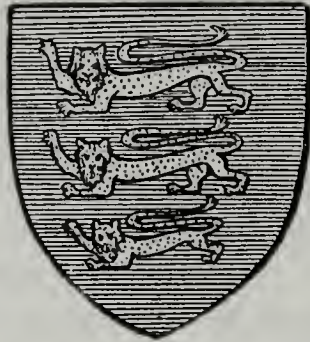
Later on the Berkeleys of Dursley are stated by many authorities to have borne—*Azure three lions passant guardant or*.

Vide Burke,
etc., etc.

HISTORY OF THE BARCLAY FAMILY

HENRY DE
BERKELEY
I, DE
DURSLEY,
1220-1221.

Possibly these three golden lions grew out of the lion rampant on the seal of Roger de Berkeley III, and the two lions of



ARMS OF THE BERKELEYS OF DURSLEY

See p. 53.

Henry de Berkeley. Many later writers have taken for granted that the arms of the Berkeleys of Dursley were—*Argent a fess between three martlets sable*, which were, as we shall see, undoubtedly the arms of Berkeleys of Cubberley.

See p. 74.

Pedes
Finium,
5 Hen. III.

We have already noted that on the death of Roger de Berkeley V about the year 1220, he was succeeded by Henry de Berkeley. A dispute which he had with his stepmother Letu-
aria, with regard to her claim for dower, was settled the following year by an agreement confirmed by the judges at Westminster on May 2nd.

Rot. Litt.
Clausarum,
16 John.

Henry de Berkeley's name occurs in a variety of legal and other documents, particularly with respect to his father's debts to Jewish moneylenders, in order to pay which Henry appears to have sold some of the Dursley property. He enjoyed the possession of the Barony, however, for but a brief period. Barely more than a year after his father's death, at a Council held in the Tower of London on September 24th, 1221, the custody of the lands and heirs of Henry de Berkeley *deceased* was granted to Engelard de Cigony. Since we have evidence, only a brief time before, of his taking part in public affairs, we may perhaps presume that he met with a violent death, possibly in the campaign against the Welsh under Llewellyn ap Jorwult, to which, the King having taken the field in person, he was sure, as holding by military tenure, to have been summoned.

Rot. Litt.
Clausarum,
5 Hen. III.

HISTORY OF THE BARCLAY FAMILY

The selection of such a guardian as Engelard was an evil omen for the widow, Agnes de Berkeley and her infant children. He had been one of the chief instruments of King John's tyranny, and was so much hated by the Barons that he was named in Magna Charta as one of the foreign mercenaries who were to be removed from office and expelled the kingdom. Instead of this he had been made Governor of Windsor Castle and entrusted with valuable appointments. In the matter of the management of Dursley he was aided by his son Oliver, to whom Henry de Berkeley's lands and heirs were committed in 1225.

HENRY DE
BERKELEY
I, DE
DURSLEY,
1220-1221.

We do not know what the circumstances which led to her action may have been, but it is somewhat remarkable that in 1227, six years after her husband's death, Agnes de Berkeley went to the trouble and expense of obtaining the King's mandate enjoining on the Sheriff of Gloucestershire "that she was not to be vexed or molested so long as she did not marry without the leave of Engelard." Probably the eighteen long years of minority of the heir, during which time the lands of Dursley were in the charge of Engelard, was an anxious and bitter time for Agnes de Berkeley. So fully does Engelard, for the time at any rate, appear to have appropriated the estates that he is actually described by the collector of aids for Gloucestershire as "the Honour of Engelard de Dursley." However Henry de Berkeley's son on coming of age appears to have inherited the lands of Dursley without any diminution in extent.

Testa de
Nevill.

His mother, Agnes de Berkeley, retired to the Dower House of Dodington, and in a later year was known as the "lady of Dodington."

Testa de
Nevill.

JOHN DE BERKELEY DE DURSLEY

1221-1245.

John de Berkeley clearly attained his majority before the summer of 1241, for he was then called on to confirm several donations made by his ancestors to the Church. It appears evident that while careful to fulfil all these ecclesiastical duties, he was unable through ill-health to take part in active work.

Pedes
Finium,
Glouc.
25 Hen. III.

HISTORY OF THE BARCLAY FAMILY

JOHN DE
BERKELEY,
DE
DURSLEY,
1221-1245.

Rot. Litt.
Clausarum.
26 Hen. III.
Ibid.

Rot. Litt.
Clausarum.
29 Hen. III.

Rot. Litt.
Clausarum.
30 Hen. III.
Rot. Lit. Pat.
30 Hen. III.

Assize Roll.
32 Hen. III.

Assize Roll.
32 Hen. III.

Early in the year 1243 exemption from service as a knight had been granted him by the King, and in the month of May he was excused from taking up arms. Two years later he died, and the Honour of Dursley for a second time was exposed to the disadvantages of a long minority. The first intimation of his death that we find is a writ dated May 13th, 1245, directing the Sheriff of Gloucestershire to assign reasonable dower to Sybil, who was wife of John de Berkeley, "taking security that" as soon as she shall have brought forth and recovered her strength "she will come unto the King and do fealty." In the succeeding year the Sheriff is ordered to deliver up her Manor House to her, as she has taken oath not to marry without the King's licence. This is followed by a grant to Richard de Clifford of the custody of John's lands and heirs, and the Sheriff of Gloucester is charged to have regard to her dowry. Notwithstanding the consideration shown by the Crown, she appears to have experienced great difficulty—judging from the proceedings before the Justices Itinerant at Gloucester in 1248—in obtaining recognition of her claims. Possibly she was a woman of excitable temperament, since we find her so frequently involved in law. She brought charges of robbery against various persons, but was not prepared to follow them up. Then again she brought actions against the Abbots of Gloucester and of Kingswood for her thirds from the lands of Newyngton Baggepath, and she calls her little son Henry, of only seven years old, as witness, and when the proceedings are adjourned, her little son is taken out of her charge and given to Chacepot, one of the officials, and all are charged to attend at Michaelmas Assize at Hereford. The result cannot be traced, as the Assize Rolls for Hereford for 32 Henry II are not extant.

1245-1286.

HENRY DE BERKELEY II DE DURSLEY

Inquisition
post mortem
Richard
Earl of
Gloucester.

Henry de Berkeley evidently came of age, and entered into possession of the Dursley inheritance before July, 1262, since his name is specified as holding two fees in Dodington under Richard, Earl of Gloucester, who died in France in that year.

HISTORY OF THE BARCLAY FAMILY

We also find an agreement dated 1263 between Henry de Berkeley and Sampson, Abbot of Kingswood, which shows that he was in full possession of the honour.

HENRY DE
BERKELEY
II, DE
DURSLEY,
1245-1286.

Henry de Berkeley is twice mentioned as a juror at Gloucester in the year 1269, and a little later we find him in litigation against the Abbot of Kingswood and Letuaria, widow of Thomas de Rochford. In succeeding years he is involved in other lawsuits, chiefly, it must be acknowledged, with the dignitaries of the Church which his ancestors had so liberally enriched.

Feet of
Fines,
Glouc.
47 Hen. III.
Assize Roll,
Glouc.
53 Hen. III.

In 1272 he is engaged in a dispute with the Abbot of St. Peter's, Gloucester, with regard to pasturage rights in Stanley, and four years later he has an action against the Abbot of Stanley.

Cal. Pat.
Rolls.
1 Ed. I.

Since we derive the greater part of our information with regard to the Berkeleys of Dursley from legal documents and records of suits-at-law we may be inclined to unduly emphasise this litigious disposition; whereas had we more information of their private character and pursuits we could better judge what manner of men they were.

Henry de Berkeley now becomes involved in a dispute with his cousins of Berkeley Castle, which has a lasting effect upon that status of the family. The harmony which had existed for more than a hundred years is broken, at any rate, for a time. Maurice de Berkeley II of Berkeley Castle, even on Smyth's showing, was of an exacting disposition and impatient of the exercise of any authority, save his own, within the limits of the Hundred of Berkeley. Smyth in his quaint language says: "He was a Lord who would make way for his will, which was often the rule whereby he walked; breake hee might, bend hee would not." He had attempted to make another of his cousins, Nicholas, do him "suit and service" for the lands of Hill and Nymdesfeld, although held by Crown charter. For this and other high-handed proceedings the grand jury for the Hundred of Berkeley presented him before the Judges Itinerant at Gloucester in 1274; the jurors in other hundreds making similar complaints against his exactions. It appears that King Edward I so soon as he was firmly established on the throne,

Smyth's
Lives of the
Berkeleys,
Vol. i, p. 151.

Ibid.
Vol. i, p.
128.

HISTORY OF THE BARCLAY FAMILY

HENRY DE
BERKELEY
II, DE
DURSLEY,
1245-1286.

The
Hundred
Rolls.

Hundred
Roll,
4 Ed. 1.

Vide Re-
turns of
Robert
Fitzhardinge
and Roger
de Berkeley
in the Liber
Niger.

Smyth's
Lives of the
Berkeleys,
Vol. i, p. 143.

Berkeley
Charters,
No. 456.

Close Rolls,
6 Ed. 1.

Smyth's
Lives of the
Berkeleys,
Vol. i, p. 191.

adopted measures to recover the rights and privileges usurped by the Barons under the weak administration of his father.

The preliminary enquiries which were made at this time as a basis for the statute *a quo warranto* are embodied in the "Hundred Rolls." They must have revived many controversies. For instance, in the Hundred of Berkeley, the jury report that Maurice de Berkeley *and* Henry de Berkeley claim "Return of writs, Assize of Bread and of Ale, right to erect gallows, and to punish by the cucking stool."

Clearly each sought to exercise independent jurisdiction within his own lordship; and as the boundaries of their possessions had been in dispute ever since the partition in the days of Roger III, there was a fruitful source for the clash of authority. To diminish the risk of such conflicts in the future, about two years later, viz., in 1278, this Lord Maurice (to quote Smyth's words) "out of a faithful care to leave his estates and Barony to his son and his posterity free from all manner of question, gave 300 marks to have a deed and a fine from Henry de Berkeley, Lord of Dursley, of grant and release of all his right in the Manor of Berkeley or Berkeley Hernesse, and in the Barony of Berkeley, and in the Manor of Wotton, and the market and fair there; and in the Manor and Advowson of Slimbridge." The agreement of Maurice de Berkeley to give the 300 marks to Henry is alluded to in the Close Rolls, where also we find record of a singular transaction which does not appear very intelligible. Maurice is mentioned as covenanting to pay 50 marks, a part of the 300, to Sibilla de Berkeley, the daughter of Henry—viz., 30 marks to procure his discharge from the effect of a vow which her father had made on the occasion of his marriage, that one of his daughters should become a nun; and 20 marks toward her wedding portion. Also in the same Close Roll it is stated that Maurice has bound himself to pay Henry 78 marks at Whitsuntide, and 30 marks on All Saints' Day. This accounts for rather more than half, but there is no record as to when the rest was paid. Thus harmony was restored between the Castles of Dursley and Berkeley. But, unfortunately, three years later, in 1281, Maurice died, and the quarrel broke out more vehemently than ever with his

HISTORY OF THE BARCLAY FAMILY

son Thomas, who claimed certain rights in the Manor of Dursley. Henry resisted the claim for four years, but when the question came at length to trial before the Justices Itinerant at Gloucester, the decision was given against him, the jury finding "that the ancestors of this Lord Thomas in the time of Henry II used, if any thieves were taken, either in the court or town of Dursley, to bring them to the castle of Berkeley, and to have justice executed on them there." Such an arrangement had probably for the sake of convenience been acquiesced in by the former Lords of Dursley, in the days of close friendship; but now that these rights of jurisdiction are formally taken away, a blow is struck at the dignity of the Dursley family, which little by little has been ousted from its rights by the Fitzhardinges. First the Castle and Barony of Berkeley is wrested away; now the authority of the Lords of Dursley is undermined; and half a century later we shall find the Lords of Berkeley attempting to bring about the complete subordination of the Manor of Dursley to the jurisdiction of the Court Leet of Berkeley.

Henry de Berkeley, though he had been in possession of the estates for nearly twenty-five years, was little more than forty-five at the time of his death. The fortunes of the house had not prospered under his tenure. This appears to have been his misfortune rather than his fault. The actual alienation of property during his time was not important. He parted with lands in Cam, and also sold his rights as the Lord of the Manor of Oselworth, to the Abbot of Kingswood for 80 marks; a very considerable sum in those days. The value of the estates, however, was greatly depreciated, and at the time of his death their owner had sunk almost to the rank of a county knight. The "Barony" of Dursley is still, indeed, officially mentioned; but Henry's interest in it had dwindled down to four somewhat heavily burdened manors. The inquisition at his death gives "the site of the mansion with garden of herbage as being of the value of 13s. 4d. per annum. Whether the building had been destroyed by accident or design we do not know. The moated castle mentioned by Leland as having fallen into decay and been removed before the date of his visit in 1540, must have

HENRY DE
BERKELEY
II, DE
DURSLEY,
1245-1286.

Assize Roll,
quoted by
Smyth, not
now extant.

Feet of
Fines,
Glouc.,
13 Ed. I.

Inq. post
mortem,
15 Ed. I,
No. 18.

Leland's
Itinerary,
Vol. viii.

HISTORY OF THE BARCLAY FAMILY

HENRY DE
BERKELEY
II, DE
DURSLEY,
1245-1286.

Roll of
Fines,
15 Ed. I.

De Banco
Roll,
16 Ed. I,
Rot. 42.

Roll of
Fines,
21 Ed. I.

De Banco
Roll,
16 Ed. I,
Rot. 42.

been of later erection. Henry de Berkeley before his death had settled the Manor of Dodington upon his eldest son William and his bride Marjorie. This became the cause of much trouble in future years; for the total value of the three remaining manors was returned as only £27 13s. 2d. per annum, one-third of which was due to Joan, Henry's widow, as "reasonable dower." To provide for this Stanley St. Leonard's was assigned to her, subject to the annual payment of £1 19s. 7½d. by which sum its valuation was in excess of her claim. With this, however, she was not satisfied, apparently in consequence of not receiving the Manor of Dodington, which had already been settled on William and Marjorie. Joan accordingly brought an action in the Court of King's Bench—not merely against the heir, his brother John, and his three sisters, Margaret, Agnes and Alice, but against some twenty other individuals having an interest in the property. The full list of all these, with their holdings in the Manor, is given in the De Banco Roll, from which we learn of this colossal lawsuit. It is not easy to understand how she can have had any claim against these various tenants, or indeed have had any claim at all in respect of land settled by her husband upon his son. Possibly Henry de Berkeley may have been unable, legally, to make the settlement without her consent; for we find that she won her case; and we learn from the Fine Roll of five years later that the Sheriff of Gloucestershire, Geoffrey de Sandiacre, was at once directed to assign to her lands of the annual value of £10 15s. 6¾d. (in lieu of £9 4s. 5d. as before) and that he put her in possession of the Manor of Newington with rent charges on Dursley and on Stanley St. Leonard's sufficient to make up the amount. The De Banco Roll shows that Henry de Berkeley left to his younger son John the water mill at Dursley; and to each of his daughters a rent charge of 12s. per annum on that Manor.

1286-1300.

WILLIAM DE BERKELEY DE DURSLEY

Inquis. post
mort.,
15 Ed. I.

William de Berkeley is described in the inquisition taken on the death of his father as being at that date, 1286, eighteen

HISTORY OF THE BARCLAY FAMILY

years of age; and it states that he was born on Michaelmas Day 1269. Probably his marriage with Marjorie had been hurried on by his father when he felt his end approaching, in order to avoid the troubles incidental to wardship. We know that he marries, at this early age, with his father's approval, for we have seen how Henry made provision for his son's settlement. It appears, however, that he could not altogether prevent guardianship; for, although in the King's writ to the Escheator the custody of the heir is not provided for, yet in the proceedings of 1287 it is distinctly stated that his person is in charge of Richard de la Ryvere; also his lands, among which are mentioned those of Dodington, which his father had settled on him. It is not clear how long the wardship continued. He did not obtain full possession of his property till several months after he came of age, the King not having received his homage till February 8th, 1291, at Eynsham.

We find brief notices with respect to William de Berkeley in the writs of military service. The series is incomplete, and it is uncertain whether he accompanied King Edward on his first invasion of Scotland in 1296, and crossed swords with his Scottish kinsmen at Dunbar. But on the 30th March, 1298, he was ordered to be at York on May 25th, to serve against the Scots; and he obeyed. On January 24th, 1300, he was again summoned to perform knight's service, and to be at Berwick-on-Tweed by June 24th. However, he did not take part in this expedition, for he died, as we learn from the Fine Rolls, before April 30th in that same year, when rather more than thirty years of age. It is probable that Marjorie his wife did not long survive him; for, in a Subsidy Roll for the County of Gloucester dated the same year we find John de la Ryvere returned as holding Dodington as half a knight's fee "of the inheritance of John de Berkeley who is in the King's hands," and nothing is said as to her interest in it. He is set down likewise as holding half a knight's fee in Frampton Cotel of the inheritance of the same heir, and it has been suggested that Marjorie may have been of the Cotel family, since William de Berkeley inherited no part of that Manor from his father.

In the same roll John Botetourte is said to hold Dursley by

WILLIAM,
DE
BERKELEY,
DE
DURSLEY,
1286-1300.

Roll of
Fines,
15 Ed. I.
De Banco
Roll,
16 Ed. I,
Hillary Roll
42.

Close Roll,
19 Ed. I., 9.

Writs of
military
service,
Ed. I and
II. Pub. by
Record
Commission.

Fine Roll,
28 Ed. I.

HISTORY OF THE BARCLAY FAMILY

WILLIAM
DE
BERKELEY,
DE
DURSLEY,
1286-1300.

King's commission, and we know from other sources that he had paid £60 for its custody "till the heir should be of legal age."

JOHN DE BERKELEY II DE DURSLEY

1300-1349.

Vide
Bigland's
Gloucester-
shire
Collections.
Palgrave's
parliamen-
tary writs,
Roll
Marescal,
8 Ed. II.

Feet of
Fines,
Glouc., p.
152.
Feet of
Fines,
7 Ed. II.

John de Berkeley was left an orphan at the early age of six. We find little about him except casual mention of his name in connection with the patronage of certain churches, until he did homage for his father's lands on August 15th, 1314. The day is noteworthy as that on which Edward II opened a Parliament at York, where he had retired after being routed at Bannockburn on Midsummer Day. Possibly the young Lord of Dursley had been in the fight with his guardian, Sir John Botetourt, who took part in it. In 1317 John de Berkeley must have married, since he conveyed his Manor of Dodington to Anselm de Gurnay, who thereupon resettled it on John and Hawise his wife, and on their issue, whom failing on John's heirs. Possibly this Hawise may have been Hawise de Tyneworth, heiress of Bratton, near Okehampton, Devon, who married a John de Berkeley. Whether it was John de Berkeley of Dursley or John de Berkeley of the Fitzhardinge line cannot now be determined with any certainty.

In the year 1323 John de Berkeley was summoned to be at Newcastle-on-Tyne on August 2nd to proceed against Robert Bruce, King of Scotland, but his former experiences in that country must have disinclined him for the duty, as he offered a substitute properly equipped and mounted. During the next three years we hear nothing of John de Berkeley; but at a later date we find that the ill-feeling between the Dursley and the Fitzhardinge Berkeleys had become still more accentuated.

Smyth in his history enters somewhat fully into these disputes, and especially charges John de Berkeley as acting in an unneighbourly manner in making petition to Edward III with regard to Lord Thomas de Berkeley's encroachments on his rights, at a time when that lord was on trial for his life for conniving at the murder of King Edward II at Berkeley Castle. This petition by Sir John Berkeley, as he is now styled, com-

Petitions in
Parliament.
4 Ed. III.

HISTORY OF THE BARCLAY FAMILY

plains "that this lord by duresse and by colour of a new purchase which of late he hath made, and by aid and countenance of Sir Roger Mortimer, late one of the King's Councillors, had obtained return of writs and all other royal franchises within this Hundred of Berkeley which before was gildable, and would inroach to him the attendance and seignury of him the said John to his disinherison and to the damage of the King." No doubt Sir John de Berkeley must have bitterly felt the indignity of being called on to do suit of service in the Hundred Court for his Manors of Dursley and Newington, wherein, as he informs the King in a subsequent petition, "he and his ancestors, time out of mind, had used to have service of all manner of summonses, distresses and attachments, so that (save on default) neither the Sheriff of Gloucestershire nor his bayleys might enter in execution of anything to his office appertaining." We might have supposed that this would have been an opportune time for obtaining a fair hearing, since Sir John had been loyal throughout to the unfortunate sovereign whose enemies had, to say the least, been aided and abetted by the Lords of Berkeley. But the resentment of Edward III against those implicated in the murder of his father was neither deep nor lasting, for we find Thomas Fitzhardinge, the Baron, undergoing the merest semblance of a trial before a jury of Gloucestershire knights, instead of by his Peers, and restored to the full enjoyment of the Royal favour. Sir John de Berkeley obtained no redress against so powerful a lord as Baron Thomas Fitzhardinge had now become; and he had to submit to still further indignities from his overbearing neighbour. Six of Sir John's oxen were seized; whereupon he, with his brother Richard, Nicholas his son, then a boy of eleven, and a party of his retainers rescued his oxen by force, carrying off besides goods to the value of £40 and wounding a bailiff. On a subsequent occasion he went further still, preventing, by violence, the arrest and committal to Berkeley Castle of a man charged with felony. In both cases judges were appointed to try the actions brought against him, and damages awarded; but though worsted on all points, the ruling passion of his life seems to have been to recover and maintain his independence, and he

JOHN DE
BERKELEY
II, DE
DURSLEY,
1300-1349.

Roger de
Mortimer
had already
been con-
demned and
executed.

Smyth's
reference for
this is :
" Brevia
Regis 10
Ed. III
bundellum
in turre
Lond."

Murder of
Edward II
at Berkeley
Castle with
the conni-
vance of the
Fitzhardinge
family.

Patent Roll,
6 Ed. III,
Part 2.

Rott. in
Banco Regis.
20 Ed. III.
Smyth I, p.
332.

Smyth's
Hundred of
Berkeley, p.
175.

HISTORY OF THE BARCLAY FAMILY

JOHN DE
BERKELEY
II, DE
DURSLEY,
1300-1349.

Returns of
Members
from Earliest
Date. Pub.
1878.

Inquisition
post. mort.
19 Ed. III,
2nd, No. 24.

Inq. post
mort.
23 Ed. III,
Part 1, No.
18.

must have been to some extent successful, as the Lords of Dursley retained their own Court Leet down to Smyth's day.

Owing no doubt to the antagonism of Baron Thomas Fitzhardinge de Berkeley he was excluded from every post of honour and trust in the county. This must have been the more annoying as Sir Thomas Berkeley, the head of the junior branch of Cubberley, held all in turn, from Sheriff, Custos of the Peace, Collector of Subsidies, etc. He was, however, returned as Member of Parliament in 1340.

It does not appear that he was out of favour at Court, since in matters other than his dispute with the Fitzhardinge Berkeleys full justice was done him. In 1346 he applied for the King's permission to make grants for life of small allotments of land in his Manor of Durseley and elsewhere to no less than a dozen of his dependants. Probably these plots had previously been held by those to whom he granted them; but Sir John had to pay heavily for Royal licence to make them tenancies for life, free of all rent, or the customary services. It was a free gift to his dependants, and such an act of liberality comes as a surprise from a feudal landowner in the fourteenth century.

It is clear that Sir John de Berkeley, if hot tempered, was kind hearted. He was ready to speak out plainly and to take the law into his own hands regardless of consequences, if unable otherwise to get his own way. Perhaps he differed far less than we might suppose from the type of English country gentlemen who flourished four or five centuries after him.

He died in 1349 in the fifty-sixth year of his life, his wife Hawise, to whom he had been united for thirty-two years, followed him, in less than four months, to the grave. Some time before his death he had conveyed all his estates to his wife and heirs, so that he held nothing in his own right "on the day that he died." This is certified to have been February 3rd, and Hawise passed away on May 25th. Beside his two sons he left a daughter Matilda, who became the wife of Robert de Cantelupe.

HISTORY OF THE BARCLAY FAMILY

SIR NICHOLAS DE BERKELEY DE DURSLEY

Nicholas de Berkeley, who succeeded his mother, by virtue of the entail, in the family estates, is stated in the Inquisition on her death to be twenty-eight years of age. He had now considerable difficulty in establishing his claim to the Manor of Dodington, owing to counterclaims, into which it is scarcely necessary to enter here at length. The whole story may be gathered from the later Inquisitions. Nicholas was compelled to petition the King in Parliament for recognition of his rights and a commission was issued. The jury report cannot have given much satisfaction to Nicholas; for although he obtains the holding of the Manor, he is stated to hold it from Ralph, Earl of Stafford, doing homage to him and paying 100s. for the relief.

SIR NICHOLAS DE BERKELEY, DE DURSLEY, 1349-1382. Inq. post mortem. 23 Ed. III.

Inq. post mortem. 25 Ed. III, etc., etc.

Inq. p.m. as above.

As the Commissioners on this assize were tenants of the Fitzhardinge Berkeleys, and it was held at Wotton-under-Edge, one of their principal seats, the result probably convinced Nicholas that the influence of his kinsmen was sure to turn the scale against those who were not of their party, and thus induced him to depart from the course his father had pursued, and in which he had shared as a boy. At all events there appears no more discord; he lives on the best terms with his neighbours of Berkeley Castle and a few years later accompanies them throughout the military campaigns in France. Smyth's words are: "And now (July, 1356) went also in company together, Maurice, eldest son of Thomas, Lord Berkeley, Sir Thomas Berkeley of Uley his cousin german, *Sir Nicholas Berkeley of Dursley*, Sir Peter de Veel of Tortworth, and divers others of these parts."

Smyth's Lives of the Berkeleys, Vol. i, p. 257.

This account is corroborated by the Gascon roll of that year, on which it stands recorded that Letters of Protection were granted by the King at Westminster on June 28th to "Nicholas de Berkeley de Dursley who is about to set out in the retinue of Edward, Prince of Wales, for the parts of Gascony."

Rot. Vasconiz. 29 Ed. III. Membr. 8.

There can be no question, therefore, that Sir Nicholas de Berkeley formed one of the band of heroes who on Monday, September 19th, 1356, at Poitiers "gained the most extra-

HISTORY OF THE BARCLAY FAMILY

SIR NICHOLAS DE BERKELEY, DE DURSLEY, 1349-1382.

Life of Edward the Black Prince, by G. R. P. James, who follows Froissart. Froissart's Chronicles.

ordinary victory that the annals of the world can produce" over a force which at the lowest estimate outnumbered them by eight to one. Sir Nicholas fought no doubt side by side with Sir Maurice, who is described as having been "together with his kinsmen for two hours in the fore part of the battle," but following too hotly in pursuit of the retreating enemy was taken prisoner and not ransomed for some years afterwards. Froissart in his *Chronicle* gives the following description of the capture of Sir Maurice. The name, in the account, however, is given in error as that of his father, Lord Thomas, who certainly was not present at the battle. Froissart writes: "It happened that, in the midst of the general pursuit, a squire from Picardy, named John de Helennes, had quitted the King's division, and meeting his page with a fresh horse, had mounted him, and made off as fast as he could. At that time there was near to him the Lord of Berkeley, a young knight, who, for the first time, had that day displayed his banner: he immediately set out in pursuit of him. When the Lord of Berkeley had followed him for some time, John de Helennes turned about, put his sword under his arm in the manner of a lance, and thus advanced upon the Lord Berkeley, who taking his sword by the handle, flourished it, and lifted up his arm in order to strike the squire as he passed. John de Helennes, seeing the intended stroke, avoided it, but did not miss his own; for as they passed each other, by a blow on the arm he made Lord Berkeley's sword fall to the ground. When the knight found that he had lost his sword, and that the squire had his, he dismounted, and made for the place where his sword lay: but he could not get there before the squire gave him a violent thrust which passed through both his thighs, so that, not being able to help himself, he fell to the ground. John upon this dismounted, and, seizing the sword of the knight, advanced up to him and asked him if he were willing to surrender. The knight required his name: 'I am called John de Helennes,' said he, 'What is your name?' 'In truth, companion,' replied the knight, 'my name is Thomas, and I am Lord of Berkeley, a very handsome castle situated on the river Severn, on the borders of Wales.' 'Lord of Berkeley,' said the squire, 'you shall be my prisoner: I will

HISTORY OF THE BARCLAY FAMILY

place you in safety, and take care you are healed, for you appear to be badly wounded.' The knight answered, 'I surrender myself willingly, for you have loyally conquered me.' He gave him his word that he would be his prisoner, rescued or not. John then drew his sword out of the knight's thighs and the wounds remained open; but he bound them up tightly, and, placing him on his horse, led him a foot pace to Châtelheraut. He continued there, out of friendship to him, for fifteen days, and had medecines administered to him. When the knight was a little recovered, he had him placed in a litter, and conducted him safe to his house in Picardy; where he remained more than a year before he was quite cured, though he continued lame; and when he departed, he paid for his ransom six thousand nobles, so that this squire became a knight by the great profit he got from the Lord of Berkeley."

SIR NICHOLAS DE BERKELEY, DE DURSLEY, 1349-1382.

Sir Nicholas de Berkeley de Dursley was more fortunate, however, for he appears to have got safely back to England with the Black Prince, who landed there in May, 1357; for we find him at Sandwich in Kent, in September, 1359, among those about to set out again for France with the King himself, being this time in the retinue of Sir Edward de Despencer, a Baron holding large estates in Gloucestershire.

Rot. Franciæ. 33 Ed. III, Par. 2, m. 14.

Sir Nicholas was home again by 1363, for in the month of October he was returned as one of the knights of the shire for his native county. The date of his marriage with Cecilia, daughter and heiress of Sir William de la More, is uncertain. With her he received half the Manor of Bitton, as well as lands in Wiltshire and Somersetshire. Later in life, in the year 1375, he filled the office of High Sheriff of Gloucestershire, and he appears to have been held a man of much account, for we find him appointed one of the trustees of the settlement made on the remarriage of Alicia, widow of Sir John Beauchamp of Hache, with Sir Matthew de Gournay in 1374.

Return of Members. Pub. 1878.

MS. list of Sheriffs.

In July, 1377, having been married many years and having no children, Sir Nicholas obtained leave to resettle this Manor on himself and his wife with remainder to his heirs. Five years later, in 1382, he died, having just completed his sixtieth year, and was succeeded, in virtue of the entail above referred to, by

Inquis. ad quod damnum. 1 Rich. II, No. 113.

HISTORY OF THE BARCLAY FAMILY

SIR NICHOLAS DE BERKELEY, DE DURSLEY, 1349-1382. his sister Matilda, widow of Robert Cantelupe, Dodington and Stanley St. Leonard's remaining subject, as usual, to the claims of the widow Cecilia, who, as we have seen, was also an heiress in her own right.

Extinction of the Berkeleys of Dursley.

With the death of Sir Nicholas the whole male line of the Berkeleys of Dursley becomes extinct.

For upwards of three hundred years, from the time of the Conquest, had they held the property, at first as lords of the whole Honour of Berkeley; but, even after their deprivation of the lordship, they remained men of wealth and note in the county.

There still remained the kindred line of the Berkeleys of Cubberley, descended also from Roger de Berchelai of the Conqueror's time; and it is singular to find that this branch of the family died out within a few years of the elder. Sir Nicholas, the last of the Dursley line, died in 1382, and in 1405 occurred the death of Sir Thomas Berkeley of Cubberley. To this line we shall now turn, and trace in order each successive generation.

WILLIAM DE BERKELEY I DE CUBBERLEY

1139.

In attempting to trace the descent of the collateral line of the Berkeleys of Cubberley we are faced by some difficulties which future investigations may possibly remove; and we can only suggest as probable that which fuller information may either confirm or disprove. We are less willing to ignore this branch of the Berkeley family because it contains men of note, and also because it is well to show the extinction of all the original lines of Berkeleys descended from the Conqueror's provost.

Smyth's Lives of the Berkeleys, Vol. I.

This is an error of Smyth's. The Cubberley line is distinct from the Dursley.

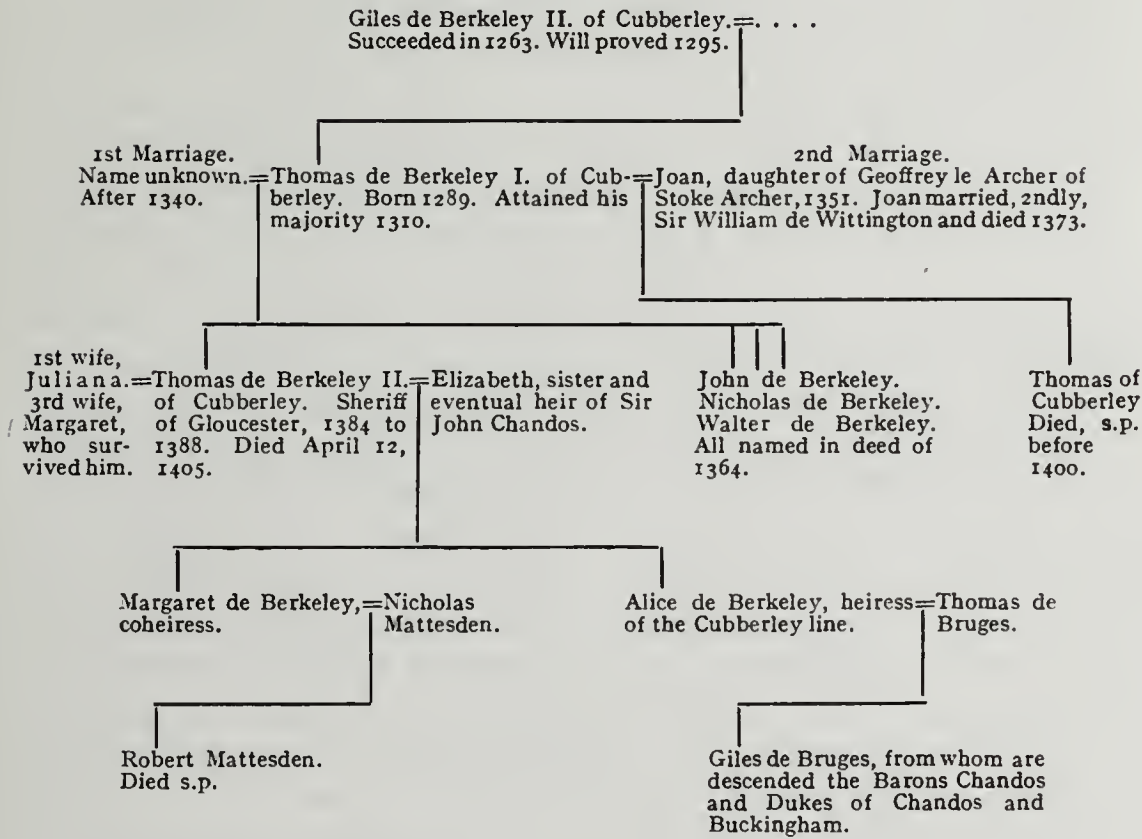
Smyth in his quaint phraseology writes of the Cubberley line as "that antient younger branch of the Berkeleys of Dursley who long continued in great reputacyon and remarkable-ness in the county of Gloucester and Worcester."

Domesday Book. *i.e.*, about 1,600 acres.

Cubberley, which lies about three miles from Cheltenham on the top of the Cotswold Hills, is described in the Domesday Survey as one of the Manors held by the first Roger de Berchelai *in capite*, containing ten hides of land and then valued at £8 a year.

HISTORY OF THE BARCLAY FAMILY

Continued from Pedigree
facing page 18.



On the death of Alice de Berkeley the Berkeleys of Cubberley became extinct.

PEDIGREE OF THE BERKELEYS OF CUBBERLEY

HISTORY OF THE BARCLAY FAMILY

WILLIAM
DE
BERKELEY
I, DE
CUBBERLEY,
1139.

Dugdale's
Monasticon,
Vol. iv, p.
470.

See p. 43.

See pp. 30-1.

Register of
Kingswood
Abbey.
Dugdale's
Monasticon,
Vol. v.

Pipe Roll,
Glouc. 16,
17, 18 and
19 Hen. II.
Chartulary
of Monastery
of St. Peter's,
Glouc.
Vol. i, pp.
234-5.

Calendar of
Charters in
the Bodleian
Lib., Oxford.
Pub. 1878.

Patent Roll,
3 Ed. IV.

Dugdale's
Baronage,
Vol. i.

From the time of the Great Survey down to the year 1144 we find no records concerning Cubberley, but in that year Roger de Berkeley III confirms the gift of its church to the Priory of Stanley St. Leonard's, founded by his father.

Twenty-two years later, in 1166, this same Roger III in the certificate of his knight's fees addressed to King Henry II, states that he has two *in demesne* in his Manor of Cubberley. A few years later, however, we find a part of the Manor in the hands of William de Berkeley. Who this William actually was cannot at present be shown with absolute certainty; but, in all probability, he may be identified with the William de Berkeley with whom the disagreement over the founding of Kingswood Abbey had taken place. It appears probable that this concession of an interest in Cubberley was part of the arrangement made with his cousin Roger de Berkeley III on the relinquishment of his claim to be the founder of Kingswood. This relinquishment is related in the Abbey register. At all events, on the death of Roger III William is debited on the Gloucestershire Pipe Roll 100s. "for having the right to a fee which Roger holds." There can be no doubt that this fee was in Cubberley; for, in 1182, William de Berkeley compromised a lawsuit with the monks of Gloucester as to pasturage in Cubberley where they, too, held lands; and in 1188 he agreed to the settlement by the Bishop of Worcester of a further controversy with these same monks as to the advowson of the Parish Church of Cubberley. As William de Berkeley had been distinguished in the wars between King Stephen and the Empress Maud. and had, many years before, received from Robert, Earl of Gloucester, the Manor of Eldersfield in Worcestershire, and from Ranulf, Earl of Chester, the Manor of Chilcote in Derbyshire, his position was very superior to that which a mere cadet of Dursley could have occupied, and explains perhaps how his descendants rose to a position of greater power and influence than the representatives of the parent house.

The name of William de Berkeley's father we do not know. He is described as a nephew of Roger de Berkeley II. Sir Henry Barkly considered him to have been the son of Eustace; but this seems improbable, as we have seen that there are sub-

HISTORY OF THE BARCLAY FAMILY

stantial grounds for believing Eustace to have been the eldest son of Roger de Berchelai, the founder, and that, dying without issue, he was succeeded by his brother Roger II. The year of William de Berkeley's death is not known; but there is no doubt that he was succeeded by his son William de Berkeley II of Cubberley.

WILLIAM
DE
BERKELEY
I, DE
CUBBERLEY,
1139.

WILLIAM DE BERKELEY II DE CUBBERLEY 1189.

The earliest evidence of William de Berkeley's possession of his father's inheritance is a charter by which Prince John (who received the Honour of Gloucester, through marriage, before King Henry's death in 1189) confirmed Eldersfield to William, son of William de Berkeley. Later when Prince John was deprived of that Honour by Richard I, William de Berkeley had to pay the King 30 marks for a fresh confirmation to Eldersfield. Notwithstanding this, as soon as John succeeded to the throne, William hastened to Normandy and procured from him a fresh confirmation for which he had to give 15 marks and a palfrey, which he had to break in himself. In 1203 he had to pay one mark for not having followed the army. William had still further difficulties in establishing his claim to Chilcote. The contest at law was long, and he must eventually have been worsted; for he is charged in 1205 with having taken possession forcibly; but in the end he triumphed and his posterity possessed the place.

See Nash's
Worcester-
shire.

Worcester-
shire Pipe
Roll,
7 Ric. I.

Rotulli
Charterum,
28.

Worcester-
shire Pipe
Roll,
5 John.

Rot. de
oblatis et
finibus,
7 John,
Derbyshire.

With respect to the lands of Cubberley William de Berkeley appears to have obtained control of the whole Manor, for he rented the interest which the Berkeleys of Dursley still retained, and came to an arrangement with the monks of St. Peter's, Gloucester, as to the lands of Little Cubberley. Sir Robert Atkins indeed states that a portion of Cubberley Manor House was built upon the Abbey lands.

Pipe Roll,
Glouc.

Hist. of
Glouc. by
Sir R.
Atkins.

The wife of William de Berkeley was Dionisia, daughter of Robert de Turville, who brought as her dowry the Manor of Saltford. Her marriage must have taken place nearly twenty years before her husband's death, which occurred in 1208, for an arrangement had been entered into by him for the betrothal of

Pipe Roll,
10 John,
Glouc.

HISTORY OF THE BARCLAY FAMILY

WILLIAM
DE
BERKELEY
II, DE
CUBBERLEY,
1189.
Pipe Roll,
14 John.
Pipe Roll,
19 John.

their eldest son, John, to one of the daughters of Geoffrey de Abetot, a Worcestershire knight, and the youth attained his majority before 1212. In that year Dionisia was called on to pay 100 marks for having her dower in Cubberley; but as only two-thirds of the amount had been paid off by the end of five years, when she apparently died, the balance was debited to her heir.

1208-1233.

ROBERT DE BERKELEY DE CUBBERLEY

Pipe Roll,
14 John.

Robert de Berkeley is always styled on the Pipe Rolls as son of William de Berkeley, to distinguish him, no doubt, from Robert, younger son of the fourth Roger de Berkeley, and also from Robert de Berkeley of Berkeley Castle. He is charged with the debt of 200 marks for succession to his father's lands; it was, indeed, a heavy demand, and though paid by instalments, and helped by loans from friends, he was barely free from the debt by the time of his death, in 1233, when little over forty years of age.

Pipe Rolls,
9, 10, 11
Hen. III,
etc.

As he left no children he was succeeded by his brother Giles.

1233-1242.

GILES DE BERKELEY I DE CUBBERLEY

Eyton's
Salop, Vol.
vi, p. 373.

Close Roll,
21 Hen. III.

Feet of
Fines,
Glouc.
225-226,
Hen. III.

Registrum
Prioratus
beatæ
Mariæ
Wigomensis
(1285).
Pub. by
Camden Soc.
1865.

Not many records of Giles de Berkeley are extant. He married before 1236 Johanna, daughter and heiress of John le Engleys, of Woollaston, Shropshire, which Manor he was holding in that year in right of his wife.

In 1238 he purchased the Manor of Quedgeley, near Gloucester, of Humphrey de Bohun.

In 1240 he was in possession of rights over the mill and other interests in the Manor of Doddenham, in Knightwicke Parish, for which the Prior of St. Mary's, Worcester, had to pay him ten shillings a year. Throughout the entries in the Parish Register he is described as "Dominus Egidius de Berkele, showing him to have been by then a knight.

Giles was evidently a man of note in the county, for he was

HISTORY OF THE BARCLAY FAMILY

appointed by the King one of the Commissioners to report as to the repairs needed by the Royal Castles in Gloucestershire.

His death occurs two years later, for in 1242 the custody of the Manor of Eldersfield is given to William de Cantelupe, who was directed to assign reasonable dower to Johanna, *widow* of Giles de Berkeley. The inquisition as to the Manor of Saltford, is dated April 25th, 1243. He left two sons of tender age.

GILES DE
BERKELEY
I, DE
CUBBERLEY,
1233-1242.
Rot. Litt.
Claus.,
27 Hen. III.
Idem.

NICHOLAS DE BERKELEY DE CUBBERLEY

1242-1263.

Nicholas de Berkeley, the elder of the two sons of Giles, inherited his father's possessions in all five counties of Gloucester, Oxford, Worcester, Shropshire, and Derby, on coming of age in 1257. Before long we find him engaged in a suit against the Prior of Worcester as to Doddenham; which was not finally confirmed to him until 1260. He had, moreover, to pay half a mark before his right to Chilcote was acknowledged. In 1262, though only twenty-five years of age, he was nominated Custos of the Honour of Gloucester, on the sudden death of Earl Richard de Clare; but did not live long to perform the duties of his high office. The following year he died. In the inquisition at his death, held on January 12th, 1263, the Jurors state that he died in possession of a knight's fee in Eldersfield, held from the late Earl of Gloucester, and that his nearest heir was his brother Giles, who was twenty-two years of age on the previous Midsummer day.

Rot. Litt.
Patent,
42 Hen. III.
Idem,
45 Hen. III.
Idem,
42 Hen. III.
Atkins's
Gloucester-
shire.
Inq. post
mortem
No. 8, 47
Hen. III.

GILES DE BERKELEY II DE CUBBERLEY

1263-1294.

Giles de Berkeley on succeeding his brother Nicholas paid 100s. for relief in Eldersfield on February 10th, and no doubt also obtained possession of the rest of his brother's lands. But in the month of August a difficulty arises, for seven months after the death of Nicholas, his widow, Alice, bore a daughter. Giles objected to surrendering the property to this posthumous child, but the widow, who had married Walter de Heliun, had her dower and many friends to help her on recourse to

Fine Roll,
47 Hen. III.

Pipe Roll,
5 Ed. I.

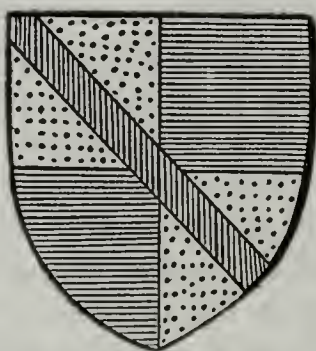
Assize Roll,
Glouc.,
53 Hen. III.

HISTORY OF THE BARCLAY FAMILY

GILES DE
BERKELEY
II, DE
CUBBERLEY,
1263-1294.
Idem and
Inq. post
mort.,
1 Ed. I,
No. 6.

Roll F,
Harleian
MSS., Brit.
Mus.

law, and Giles was soon ejected from the Honour of Eldersfield. Whether he managed to retain the other manors we do not know, but evidently he secured Cubberley as shown by several of the rolls. He cannot, however, have had full possession of all the lands until the death of his niece Margaret in 1277, at the age of fourteen. The difficulties with regard to his property had not, however, hindered him from making his way in the world. He had won his spurs at the very commencement of his career, for his name and blazon appear on the earliest extant Roll of Arms, usually attributed to the reign of Henry III. The entry runs : "Giles de Berkel, *quarterly or and azure,*



a baston gules." In these early days armorial bearings had not become hereditary, and we find his son, Sir Thomas, adopted: "*Argent, a fess sable between three martlets of the last,*" as shown in Cubberley Church, and this coat must have been adhered to by the second Sir Thomas, for it was quartered by

Cubberley
Church.



the Brydges family as descended from his daughter and heiress Alice de Berkeley. They likewise assumed in right of her mother's representation of the Chandos line—"Or, *a pile gules*"—its armorial bearings, and still borne as one of the

HISTORY OF THE BARCLAY FAMILY

quarterings by the present ducal family of Buckingham and Chandos.

Very probably Sir Giles de Berkeley was among the number who accompanied Prince Edward to the Holy Land in 1270, which would explain his subsequent rise to high royal favour. However this may be, he was present in Gloucestershire in 1273. This is clear from an incident recorded on the Gloucestershire Assize Rolls, which notes his complaint as to the abstraction of certain charters and £70 in money from a chest, which he had deposited in charge of one of the monks of St. Peter's, Gloucester, under St. Paul's Altar about the festival of Ascension, the guilty parties, who were servants in the Monastery, having absconded.

In 1275 Sir Giles is appointed Sheriff of the County of Hereford, and constable of its castle, posts of dignity and importance, which are entrusted to him for the next five years. But the most striking proof of the King's favour and confidence is shown by Edward I making the Manor House of Cubberley one of his halting places after holding a Parliament at Gloucester in the autumn of 1278. The King wrote a letter with his own hand, dated Cubberley, October 17th, 1278, to King Alexander III of Scotland, saying he would receive his homage at Westminster on October 27th.

Sir Giles sold the lands of Wollaston, which came to him on his mother's death, to Robert Burnell, Bishop of Bath and Wells, whose Manor of Acton Burnell was close to Wollaston. Sir Giles' aptitude for business must have been highly thought of, since he was frequently nominated to take special assizes and State enquiries, and he is associated with many eminent in these duties, which are spread over the period of ten years, and it is noteworthy that in one year, as we learnt from the Patent Roll, he was nominated to no less than 127 such special assizes. In the year 1283 Sir Giles was summoned, with five other judges, to sit with the Barons in Parliament at Shrewsbury to try the Welsh Prince David. In 1290 he was returned as one of the knights of the shire to Parliament. We find his name repeatedly in the Rolls as taking part in important investigations and inquisitions.

GILES DE
BERKELEY
II, DE
CUBBERLEY,
1263-1294.

Assize Roll
No. 5,
2 Ed. I.

Introd. to
Hist. and
Cart. St.
Peter's,
Glouc.,
III, 90.

Roll
original,
3 Ed. I,
No. 36.

Letter from
Ed. I to
Alexander
III of
Scotland.
See Robert-
son's Celtic
Scotland.

Close Roll,
1 Ed. I.

Patent Roll,
8 Ed. I.

Parliamen-
tary Writs,
Palgrave,
i, 465.
Placita de
quo war-
rando.
20 Ed. I,
etc., etc.,
etc.

HISTORY OF THE BARCLAY FAMILY

GILES DE
BERKELEY
II, DE
CUBBERLEY,
1263-1294.

Register
of See of
Worcester.
Fine Roll,
28 Ed. I.

" Probatio
æt." at the
Record
Office, shows
him to have
been born
1289.

Memor.
Roll, 28
and 29 Ed. I.

Toward the close of 1294 he made a will disposing of his goods and directing that his body should be buried before the image of St. Giles in the Church of Little Malvern, but his heart to be deposited in the chancel of his church of St. Giles at Cubberley. His death evidently occurred soon after, for on November 22nd his executors got leave to administer his estate. He had married in all probability only a few years previously, for his eldest son is proved to have been born in 1289. A long minority must have ensued, and as regards Cubberley, Humphrey de Waldeden and John de Crokesle had custody till September, 1299, when it was transferred to Thomas de Bottiler, "till the heir came of age."

1294-1365.

THOMAS DE BERKELEY I DE CUBBERLEY

Pipe Roll,
Glouc.,
30 Ed. I,
and 7 Ed. II.

Thomas de Berkeley came of age in June 1310, but it was not until February 10th of the following year that orders were addressed to the *Escheator* "to deliver to Thomas, son and heir of Giles de Berkeley, as he had proved his age, the lands which the latter had held by knight's service of the heir of Robert Walrand."

Calendar of
Close Rolls,
1311.

Nomina
Villarum.
Record
Commis-
sion.

Chartulary
of St.
Peter's,
Glouc.,
Vol. ii.

For the next few years we find no certain records concerning him, although the rolls abound with entries concerning a Thomas de Berkeley, the greater part of these, however, clearly refer to members of the Fitzhardinge family of the same name. In March, 1316, an Act was passed at the Parliament of Lincoln, with a view to raising a force to avenge the disastrous defeat of Bannockburn, requiring every *vill* to furnish a man at arms. In the return sent in for Gloucestershire we find, "Villa de Coberley, et Thomas de Berkeley est Dominus ejusdem villæ." This must have been his usual designation, for on January 26th, 1316, his attestation appears to a grant made by his neighbour John Giffard of Brimpsfield to the Abbey of Gloucester as "Thomas de Berkeley dominus de Cubberley."

Although made to contribute to the Scottish wars, it is evident that the Lord of Cubberley shared in the growing discontent of the nation at the weakness of the King, for a few years

HISTORY OF THE BARCLAY FAMILY

afterwards, when disputes in Gloucestershire came to a head, he joined the barons and knights who ravaged the manors of the Le Despencers. For this outrage the castles of Baron Maurice de Berkeley (Fitzhardinge), of the Giffards and others were seized by the King's orders in 1321, Thomas de Berkeley's participation being proved by a special writ dated at Gloucester on February 16th, 1322, sequestrating his lands and chattels and ordering his rents to be paid in to the Treasury. However, he made his submission with no great delay, for on the Close Roll of the same year writs are issued to the Sheriffs of Worcestershire and Gloucestershire directing his lands to be restored. He thus escaped the fate of his friend John Giffard, who was executed, and of others who, in the words of the writ of August 3rd, 1323, were obliged to pay heavy fines "for saving their lives and lands." By way, no doubt, of evincing his loyalty, Thomas de Berkeley volunteered after his pardon to furnish a man at arms with a horse to serve the King for forty days. On March 16th, 1322, he took part in the battle of Boroughbridge, his name occurring in the Boroughbridge roll of arms, a list of persons who took part in that engagement. In this roll his armorial bearings are set forth in the Norman French then in vogue, as *Gules, queyntee de la mermoude*, and he is styled Sir Thomas de Berkele. The blazon is very obscure. Mr. Walford Selby, formerly of the Public Record Office, is unable to explain it, and later examination by the present writer of various glossaries of Norman French has failed to throw any light upon the expressions *mermoude* or *queyntee*. It is possible the *mermoude* may be a term for mermaid, not infrequently a charge on coats of arms, and in this connection it may be noted that at a later period for a short time the Fitzhardinge Berkeleys bore mermaids as their supporters. *Queyntises* is employed in Chaucer's *Romance of the Rose* as apparently signifying quaint or strange.* It is note-

THOMAS DE
BERKELEY
I, DE
CUBBERLEY,
1294-1365.

Fine Rolls,
15 and 16
Ed. II,
"Et Thome
fil Egidii de
Berkeley de
Cubburley."

Close Roll,
15 Ed. II,
Memb. 18.

Close Roll,
Idem.

Marshall's
Roll,
16 Ed. II.

The
Boroughbridge
Roll of
Arms,
given in the
"Genealogist," Vol.
i, p. 51.

* We must leave to a future page the difficult question of the origin of the arms as borne by later generations in Scotland viz., *Azure, a chevron and three crosses pattee in chief argent*, and the similarity of this coat to the bearings of the Fitzhardinge Berkeleys—*Gules, a chevron between ten crosses pattee argent*. These arms are stated by Smyth of Nibley to have been first used in 1201, as shown by the effigies in Bristol Cathedral.

HISTORY OF THE BARCLAY FAMILY

THOMAS DE
BERKELEY
I, DE
CUBBERLEY,
1294-1365.
Miscellaneous
Rolls,
No. 175, 19
Ed. II, in
Record
Office.

worthy that he is here styled as a knight, but it was not till some years later that he obtained this distinction.

The next notice that we find of him is his inclusion in a writ issued under the Statute of Winchester, 19 Edward II, against those who "having 40 librates of land ought to be knights, but were not knights," and liable therefore "to be distrained on without delay." This omission he clearly soon rectified for early in the reign of Edward III he is styled in official documents "Chivaler and Miles."

Soon after the accession of Edward III appointments of various kinds were conferred on Sir Thomas. In 1330 he was made Sheriff of Gloucestershire. It is somewhat singular that the appointment should have been given to one who was of the same name as, although no near relation of, the Baron of Berkeley Castle, Thomas Lord Berkeley, who was so deeply involved in the murder of Edward II, and Sir Thomas Berkeley of Cubberley had a difficult task to perform with respect to the matter, for the King was determined that the actual perpetrators of the crime should be punished, and Sir Thomas, as Sheriff, was ordered to seize their goods and chattels wheresoever found; a duty which he appears to have performed for two years, since besides paying into the Treasury £20 5s. 8d., realised by sales, there is an entry in the Pipe Roll of 1332, as to two mares for breeding warhorses which had belonged to "John Maltravers an outlaw," delivered to Maurice de Berkeley by Thomas de Berkeley of Cubberley, late Sheriff. The latter words show that he had ceased to execute the office prior to Michaelmas that year, and this is corroborated by an entry on the Pipe Roll of the following year—viz., a letter from the King allowing him to employ a deputy, and excusing him from rendering his accounts in person. During the years 1331 and 1332 he sat as one of the Justices of Assize at Gloucester, and in the latter year was made "Commissioner of Array," in which capacity it became his duty to select and equip archers for service abroad. Numerous entries on the rolls are clear evidence that this appointment was no sinecure; he may well, therefore, have desired to escape the onerous duties of Sheriff. The first entry that we find is a command from the King to

Pipe Roll,
6 Ed. III,
Glouc.

Pipe Roll,
7 Ed. III,
Glouc.

HISTORY OF THE BARCLAY FAMILY

send him 100 archers for his Irish service; nor were his duties confined to supplying men, for he and William Tracey were directed by another writ to provide ships for the King's passage and the conveyance of victuals to Ireland, when he went there at Michaelmas to restore order. Then, again, on April 25th, 1333, he was ordered to select 500 men whereof the greater part should be archers from the Forest of Dean, and to bring them to Newcastle to serve with the King against the Scots, and again, on March 27th, 1335, to send thither 100 foot soldiers and 40 Gloucestershire archers.

THOMAS DE
BERKELEY
I, DE
CUBBERLEY,
1294-1365.
Patent Roll,
6 Ed. III.
Rot.
Scotiæ,
7 Ed. III.

Rot. Scotiæ,
9 Ed. III.

On June 12th following the King addressed a special writ from York directing "his beloved and faithful Thomas de Berkeley of Cubberley" to array and lead to Newcastle-on-Tyne, 200 archers as quickly as he could, and it is clear that he complied with this order, at least as far as going to York, for on June 25th he passed a Fine before the judges in that city whereby he alienated certain messuages and lands in Wolverthorpe and Heyhamstead near Gloucester to Andrew le Walshe and Isabella his wife, possibly to obtain funds for his journey. In August of 1337 we find that he sat as Member of Parliament at Westminster. At the close of the session he once more became Sheriff, and it is worthy of note that this was the precise date at which Edward III is reported to have conceded the right of electing that officer to the Freeholders. He continued to hold the office in 1338 and 1339, but ceased to do so in 1340 when this privilege was withdrawn by Act of Parliament, nor was he reappointed by the Crown till after a lapse of fifteen years. We find many references to him in the rolls, showing how closely he was identified with all the prominent business of the county. In 1339 for a second time he sat as Justice of Assize at Bristol, and took part in commissions for the preservation of the peace in Gloucestershire, and for the protection of the sea coast of the county, which was issued by the King in 1344 and 1346. It was about this time that Sir Thomas Berkeley found leisure to complete arrangements for Cubberley Church, which he had been rebuilding. In 1344 an enquiry was directed as to "whether it would be to the damage of the King or anybody else" if Sir Thomas de Berkeley gave certain lands in Cub-

Idem.

Pedes
Finium,
9 Ed. III.
Glouc.

House
of Com-
mons
Blue Book,
1890.

Assize Roll,
13 Ed. III,
Glouc.

Bigland's
Gloucester-
shire.
Fosbroke's
Gloucester-
shire.

HISTORY OF THE BARCLAY FAMILY

THOMAS DE BERKELEY I, DE CUBBERLEY, 1294-1365. Inq. ad quod damnum, 18 Ed. III, No. 26.

berley for the endowment of a chantry in that church. The report was favourable and the amounts of cash, land and wood are very exactly specified. Three chaplains are to be supported. In the *inq. ad quod damnum* Sir John Berkeley of Dursley, his overlord, is referred to by the jurors as a consenting party. The deeds recite that the grant is intended to secure the celebration of daily prayers for his own health so long as he lived and for that of his soul "when he shall have migrated from this sublunary sphere," and also for the souls of his ancestors, and of all the faithful dead in the church of St. Giles of Cubberley. It is somewhat singular that no mention is here made of his wife, nor of his children, although it is certain that he had married prior to that date.

French Roll, 19 Ed. III.

Pipe Rolls, various.

The Book of Aids, Record Office.

The war with France was now about to commence, and in the autumn of 1345 six knights from each county were told off to cross the Channel with the King; among those from Gloucestershire is included the name Thomas de Berkele Cuberle. There is but little doubt that he took part in the famous battle of Crecy, which was fought in August the following year. It is uncertain whether he remained in France during the long siege of Calais, but we know that some of the Gloucestershire knights visited England and returned again to France. This may possibly account for the payments made by him as Sheriff during this period, or on the other hand the payments may have been made in his name by a deputy whom he must certainly have left in charge during his absence. In the account of the collectors of the Aid in November, 1346, "for making the Black Prince a knight," we find under Gloucestershire, "Thomas son and heir of Giles de Berkeley of Cubberley" rated at forty shillings for his fee there, and the same amount for his fee in Eldersfield in Worcestershire, and also twenty shillings in Derbyshire for the "half fee which had belonged to Giles de Berkeley his grandfather."

Inquisitio post mortem, 24 Ed. III.

There is no mention now of Sir Thomas in the public records for two or three years, from which we may infer that he was absent in France. But at the close of this period he took a step which looks as though he determined to give up military service in a foreign land and settle down, for at an age of

HISTORY OF THE BARCLAY FAMILY

nearly three score he married for a second time a young lady of the age of only twenty, Johanna (Joan), daughter of Geoffrey le Archer, of Stoke Archer in Cleeve Hundred. Geoffrey had no son to succeed him, and perhaps planned this alliance with an old comrade to secure a protector for his heiress, for he himself died at Michaelmas of the year of the marriage. Sir Thomas Berkeley did homage for his wife's lands in the year 1350. In the year following, probably on the birth of his son, he conveyed to trustees a part of the lands of Archerstole, the King's permission having been obtained for the sub-enfeoffment, for the eventual benefit of the joint heir of himself and Johanna, whom failing to her right heirs. It is a little singular that seven years later he repeats this transaction, apparently settling again the same lands on the same trusts. After his marriage Sir Thomas resumes the leading position he had previously held, both in the civil and military affairs in the county. On May 23rd, 1352, he was ordered to array 200 archers in Gloucestershire for France, and though during the same year a letter of exoneration from such functions "for certain causes" was issued to him, he was only temporarily excused. Possibly the reason may have been that other duties were imposed upon him as one of the Justiciaries appointed under the Statute of Labourers passed in 1351 in consequence of effects of the Black Death, to enquire as to the rate of wages to be assigned, he himself drawing, by the by, six shillings and eight pence a day for pains.

THOMAS DE
BERKELEY
I, DE
CUBBERLEY,
1294-1365.

Rot. Fin.,
24 Ed. III.

Rot. Fin.,
25 Ed. III.

Inq. ad
quod
damnum,
25 Ed. III.

Ped. Fin.,
32 Ed. III,
Glouc.

Rymer's
Fœdera,
Vol. iii, p.
243.

Rot. Claus.,
26 Ed. III.

Return of
Members of
Parliament,
1876.

Rymer's
Fœdera,
Vol. iii.

In 1355-56 we again find him appointed by the King to be Sheriff of Gloucestershire and also Escheator for that county and the Marches of Wales. In 1358 he is again one of the knights of the shire in Parliament, and in 1359 as Commissioner to preserve peace during the absence of the King he was ordered to array the men of Gloucestershire and later on exhorted in still more emphatic language to "save the kingdom." Sir Thomas now appears to have retired into private life, as no further entries can be found respecting him on the public records. He lived, however, at least five years longer, as it was not till Michaelmas, 1364, when he had attained the good age of seventy-five that he conveyed his paternal estates to trus-

HISTORY OF THE BARCLAY FAMILY

THOMAS DE
BERKELEY
I, DE
CUBBERLEY,
1294-1365.

Fines,
divers
counties,
Ed. III. to
Hen. VI,
Record
Office.

Lyson's
Gloucester-
shire and
others.
Dick
Whittington.

Inq. post
mort.,
33 Ed. III.

tees for resettlement on his sons by his first marriage. Two fines were at that time passed before the judges at Westminster; the first between Thomas de Berkeley de Cubberley, Chivaler, querent, and Edmund de Brugge and others, deforciant, after reserving a life interest to the former in his Manors of Cubberley and Eldersfeld, settling these on his death upon his eldest son Thomas, and Juliana his wife, and the heirs of their bodies, or if they should die without heirs, then, after the decease of both of them on his younger sons, John, Nicholas and Walter and their heirs successively. The second fine between Thomas, son of Thomas de Berkeley, Chivaler, and Juliana his wife, querents, and the same trustees, deforciant, of the Manor of Childcote, to be held by Thomas (II) and Juliana, and the heirs of their bodies, whom failing the manor to revert to his father, Sir Thomas I for life, and after him to each of Thomas's three younger brothers in succession or to their respective heirs; the said Thomas, son of Thomas and his wife Juliana, giving to Edmund de Brugge and his co-trustees for this concession 200 marks of silver. This sum was probably for the benefit of Sir Thomas's younger children of the first marriage, his second wife and her boy having been provided for by the entail of Stoke Archer. She remarried shortly after Sir Thomas's death, which happened about 1365, William de Whytington, whom some of the Gloucestershire historians have confused with the famous Lord Mayor, loading her, in consequence, with undeserved obloquy as the cruel stepmother through whose ill-treatment Dick ran away to London. The dates, however, must dispel this notion. Sir William de Whittington of Pauntley, Dick's father, after being outlawed for debt, died as shown by the writ of "*diem clausam*" in October 1359, six years before Joan le Archer became a widow; while, on the other hand, the William de Whytington whom the latter married survived her and actually held Stoke Archer for a short time after her death in 1369. Possibly he was Sir Richard Whittington's elder brother. The inquisition on the death of Joan was not taken until her son

HISTORY OF THE BARCLAY FAMILY

THOMAS OF CUBBERLEY

came of age in 1372, his "proof of age" showing that he was born at Cubberley on the day of St. Dionysius—October 9th—in 1351. With respect to this Thomas of Cubberley, who is nowhere designated of Berkeley, there appears some confusion in the minds of the Gloucestershire historians. Some consider that he succeeded on the death of his half-brother, the second Sir Thomas de Berkeley, to Cubberley, and the other manors, because the third and last Sir Thomas de Berkeley of Cubberley died there in 1405, having in possession Stoke Archer, leaving his two daughters as co-heiresses. But this view is scarcely tenable in view of the settlement of 1364 already referred to, which shows that if his half-brother Thomas had died without issue, there were three other half-brothers to succeed before Thomas de Cubberley. As a matter of fact, Nicholas, the second of these, certainly did survive the eldest and was also executor of his will. Still there appears to be no record of the death of Thomas de Cubberley or Thomas de Berkeley de Cubberley between 1364 and 1405, which is strange since Stoke Archer was held from the Crown. Taking, however, all the facts into consideration it appears probable that Thomas of Cubberley died without issue during the fourteenth century, bequeathing Stoke Archer to his half-brother, the second and last Sir Thomas de Berkeley of Cubberley.

It is certain that Thomas of Cubberley died before 1402, for in that year "Sir Thomas Berkeley de Coburleye" had evidently been in possession for some years. The existing monuments in Cubberley Church afford a certain amount of corroboration of this surmise that Thomas of Cubberley died soon after coming of age, for there is a monumental effigy of a youth in civilian costume, which very probably was erected to him. Mr. J. H. Middleton describes it as of late fourteenth century style and Mr. A. Hartshorne, F.S.A., in a paper on the monuments in Cubberley Church, considers it to be in the style of Edward III's reign, and both agree in referring it to one of the Berkeley lords. It cannot represent the first Sir Thomas Berkeley, who was seventy-five when he died in 1365,

THOMAS OF
CUBBERLEY,
Born 1351.

Lyson's
Gloucester-
shire.

Inq. post
mort.,
3 Hen. IV.

Bris. and
Glouc. Arch.
Soc., Vol. iii.
Archæologi-
cal Journal,
June, 1889.

HISTORY OF THE BARCLAY FAMILY

THOMAS OF CUBBERLEY, Born 1351. Monuments in Cubberley Church. Sir Giles de Berkeley.

nor the second Sir Thomas, who was over sixty at the time of his death in 1405. With regard to the other monuments in Cubberley Church, there is not very much room for doubt. The curious "heart monument" in the chancel has already been mentioned as, no doubt, in memory of Sir Giles de Berkeley, who bequeathed his heart to be placed there in 1294. The recumbent life-sized figures of a knight and lady originally within the altar rails, must be those of Sir Thomas Berkeley, who may be called the second founder of the church, and of his *first* wife, who died while the work of enlarging the building was in progress. The small effigy of a girl in hood and gown is most likely that of a daughter of the first Sir Thomas. The absence of any monument to the second Sir Thomas, who left directions that he was to be buried in Cubberley Church, may be accounted for by the destructive treatment to which the interior of the building has been subjected. Bigland, writing in 1790, speaks of many mutilated fragments, and slabs robbed of their brasses.

Bigland's Gloucestershire.

1365-1405 SIR THOMAS DE BERKELEY II DE CUBBERLEY

The precise date of the birth of the second Sir Thomas de Berkeley cannot be ascertained, but there can be very little doubt that it was about the year 1340. He inherited the Manor of Cubberley in 1365, but he appears to have held no official position in Gloucestershire for at least fifteen years, possibly owing to having continued to reside at Chilcote in Derbyshire. From 1380, however, he was constantly employed in his native county on very much the same lines as his father, but his life proved to be much less eventful. He was named as one of the knights of the shire of Gloucester, and was also appointed collector of the subsidy there. He also served as Sheriff in the eighth, ninth and eleventh and twelfth years of Richard II. In 1390 he was again in Parliament, and in the following year was put on a Royal Commission "to enquire as to the Insurrection," which appears to have been his last public service. The only insurrection which the *Chronicles* mention in that year was in Kent. Perhaps the Gloucestershire

Return of Members of Parliament, 1876.

Rot. Fin., 4 Ric. II.

Rot. Litt. Clausa, 15 Ric. II.



EFFIGIES OF SIR HENRY BERKELEY AND HIS WIFE IN COBERLEY CHURCH

To face page 84

HISTORY OF THE BARCLAY FAMILY

knight was sent there owing to his impartiality. In 1402, in an inquisition preserved at the Record Office, as to those liable to pay the aid for marrying Blanche, the King's eldest daughter, we find : "Item dicunt quod Thomas Berkeley de Coburleye tenet de Do Rege, sine medio, quandam terr et tenem apud Stoke in eodem hundredo," which carries on his possession of that manor for some years. He was married three times; Juliana whose surname is not recorded, died without issue before 1375, for his eldest daughter by his second wife, Elizabeth Chandos, was born in 1376. After the death of Elizabeth he was married to a third, named Margareta, whom he appointed executor of his will. She survived him little over a year, dying in April, 1406. The inquisitions taken on her death relate solely to her right of dower in Stoke Archer, Cubberley, Eldresfeld and Chilcote, and show clearly that her "thirds" reverted to Margaret and Alice, the daughters and co-heiresses of the late Thomas de Berkeley of Cubberley, by a former wife, and that she herself had no children, since her nearest heir is declared to be Pabenham, aged thirty. These details are given because the Peerages assert that this Margareta was the sister of Sir John Chandos, and mother of Sir Thomas Berkeley's daughters, which is not only disproved as above, but also by the inquisition on Sir John's death in which his sister Elizabeth is twice mentioned.

Sir Thomas Berkeley on March 29th, 1405, feeling, as he says in the preamble, the hand of death imminent, made his will, desiring his body to be buried in the Church of St. Giles at Cubberley, leaving various small legacies to that and other churches in the towns of Worcester, Gloucester and Cirencester, and devising the rest of his personalty to his executors, who included his wife and his brother, to be disposed of as they should deem best. He died on Palm Sunday following April 12th, his writ of "diem clausit" being tested by the King at Westminster on the 20th of that month. The inquisition under it sets forth the various manors he had held, and states that his heirs were his two daughters Margaret and Alice, aged respectively thirty and twenty-six years. Margaret, the elder, is stated to be the wife of Nicholas Mattesden, and Alice,

THOMAS DE
BERKELEY
II, DE
CUBBERLEY,
1365-1405.

Inquisition
at Record
Office,
3 Hen. IV.

Inq. post
mort.,
7 Hen. IV.
Idem.

Inq. post
mort.,
23 Hen. VI.

This will,
written in
Latin, is one
of the
earliest on
record at
Somerset
House.

Inq. post
mort.,
6 Hen. IV.

HISTORY OF THE BARCLAY FAMILY

THOMAS DE
BERKELEY
II, DE
CUBBERLEY,
1365-1405.
Inq. post
mort.,
7 Hen. IV.

Inq. post
mortem,
36 Hen. VI.

the younger, wife of Thomas de Brugge. The husbands of these ladies entered into an arrangement with Margaret for a surrender of her territorial rights in consideration of an annuity which she did not live to enjoy, and then divided the estates between them. Curiously enough Margaret died also on Palm Sunday, only one year later than her husband, Sir Thomas, on that same day. The division of the property was confirmed by the Crown, but its effects were not destined to be of long duration, for on the death of Robert, son of Nicholas, and Margaret Mattesden, in 1468, his share of the estates passed to the son of Alice, the other coheiress, Giles Brydges, whose posterity were created in 1554 Barons Chandos of Sudeley and eventually Dukes of Chandos.

Thus we have traced the old line of Berkeley in Gloucestershire to the extinction as territorial magnates. We do not, indeed, know whether the younger sons of the first Sir Thomas long survived their elder brother or themselves left any posterity. But we may infer that this was not the case, as we find none of the name inheriting any lands or holding any position in the county.

APPENDIX I

No. 1

In dnica terra regis ten' Roger' de berchelai unā domū
7 unā piscariā in ipsa uilla. 7 est extra manū regis.
Hanc Balduin' tenuit. T. R. E.

No. 2

Roger' de Berchelai ten'. ii. car' t're ad Strigouels
7 ibi h't. vi. bord' cū. i. car'. Val' x. sol.

No. 3

In BERCHELAI habuit. E. rex. v. hid. 7 in dnio. v. car'.
7 xx. uilli 7 v. bord' cū. xi. car'. 7 ix. serui. 7 ii. molini
de. xii. solid'. Ibi. x. radchenistres. hntes. vii. hid. 7 vii. car'.
Ibi un' forū in quo manet. xvii. hoes. 7 reddit' censū in firma.
Hec Berenx' p'ant ad Berchelai.
In hilla. iiii. hide. In Almimaine. iiii. hide. In hinetune.
iii. hide. In Camma. vi. hide. 7 alie. xi. hide. In Gosimaine
iii. hide. In Dersilege. iii. hide. In Couelege. iiii. hide.
In Euuelege. ii. hide. In Nimdesfelle. iii. hide. In Vitaine
xv. hide 7 dimid' v. In Sunondes hale dimid' hida.
In Chingescote. iiii. hide 7 dimid'. In Beurestane. x. hide.
In Olleuorde. dimid' hida. In Almodesberie. ii. hide.
In horefelle. viii. hide. In Westone. vii. hide 7 una v.
In Eldebertone. v. hide. In Cromale. ii. hide. In Erlingehā
ix. hide. In Escleuorde. iii. hide.
Hec sup'dicta. membra omnia p'ant ad Berchelai.
In tota.
In hū. T. R. E. in dnio. xl. ix. car' 7 dimid'. 7 cc. xl. ii. uilli.
7 c. xl. ii. bord'. cū. c. xx. vi. car'. Ibi. c. x. serui.
Ibi. x. libi hoes radchenistres. hntes. xl. viii. car'. cū suis boib'
Ibi. xxii. colib' 7 xv. anelle.
Ibi. viii. molini de. l. vii. sol' 7 vi. denar'.

Extracts from Domesday Book relating to Berkeley, or the
Berkeley family

For translations see pages 9 to 12

HISTORY OF THE BARCLAY FAMILY

No. 4

APPENDIX
I.

In isto an tenuerunt .ii. frs T. R. E. in ~~Croombat~~. v. hidar
hntes in dño. ii. car. 7 vi. uill. 7 v. bord hntes. vi. car.
hi. ii. frs cū trā sua se poterant uertere quo uolebant.
Tō valeb. iiii. lib. m. iii. lib. hos. xv. com comdauit
pposito de berchelai. ut eoz habeo seruau. sic dicit Roger?
De hoc an cū omibz ad eū panentibz. reddt Roger?
ad firmā. c. lxx. lib. arsas 7 pensatas.
Ipsē Rogeri hnt de trā hui an in hellinbruge. ii. hnt.
Ad clanhangare. i. hnt. Ad hirsleze. i. hnt. Ad Neueton
vii. hnt. Ibi sunt in dño. x. car. 7 xiii. uill. 7 xxi. bord.
cū. xx. ii. car. Ibi. xvi. serui. 7 Molū de. v. solid.
Tot. T. R. E. uall. ix. lib. Modo. xi. lib 7 x. solid.
Ist Rogeri ten trā Bernardi pbr. v. hnt. Ibi hnt. iii. car.
7 ii. uill. 7 vi. bord. cū. v. car. Val 7 ualut. ix. sol.
In Hesse sunt. v. hide panent ad Berchelai. qd
v. com misit ex ad faciendū un castellulū. h Roger?

No. 5

Queda mat^{comp} heraldi tenet ~~Volcestre~~. ~~In Langetrey~~ ~~hō~~.
Gōdūm enit ab Azor 7 dñi sue uxori. ut inde uiueret donec
ad Berchelai maneret. Noleb eni de ipso an aliqd comedere.
p destructione abbatis.

No. 6

xlii **TERRA ROGERII DE BERCHELAI.** In ~~Respioste~~ ~~hnt~~.
~~ROGERIUS~~ de Berchelai ten ~~coestis~~ Ibi. x. hide. Dena
tenet ten regl. E. In dño sunt. ii. car. 7 xix. uill. 7 iii. bord
cū. v. car. Ibi. iii. serui. 7 v. ac pā. Silva. iii. q. l. 7 ii. lat.
Valut. vii. lib. modo. viii. lib. ~~In Hedredestan~~ ~~hō~~.
Ist Rog ten ~~Dodington~~. Ibi. ii. hide 7 ii. parcel dimid hide.
Aluūm tenet T. R. E. In dño. e. i. car. 7 vii. uill. 7 iii. bord
cū. iii. car. Ibi. iii. serui. 7 x. ac pā. Val 7 ualut. iii. lib.
Ist Rog ten ~~Siston~~ Anne tenet. In ~~puleston~~ ~~hō~~.
Ibi. v. hide qd. In dño sunt. ii. car 7 vii. uill. 7 x. bord
cū. iii. car. Ibi. iii. serui. 7 vii. ac pā. Val 7 ualut. c. solid.

Extracts from Domesday Book

For translations see pages 9 to 12

HISTORY OF THE BARCLAY FAMILY

No. 7

APPENDIX
I.

.xlili. **TERRA BARVIL DE BERCHEL** ~~in fct dicesse l. 8.~~
Rasvils fr' ipsius Rogeri ten' de rege ~~Wapleue.~~
 lbi. i. hida. Godric' tenuit. In dñio. e una car. 7 iii. serui.
 Val' 7 ualut. xx. solid'. ~~In Blaccler' l. 8.~~
 Ist' Ras' ten' ~~S. l. 8.~~ lbi. iii. hidge 7 dim'. Godric'
 7 Wifnōd' tenet p. ii. h. In dñio sunt. ii. car. 7 vi. utli
 7 xiii. bord' cū xii. car. lbi. v. serui. 7 x. at' pā.
 Valut 7 ual'. c. solid'.

Extract from Domesday Book

For translation see page 11

HISTORY OF THE BARCLAY FAMILY

APPENDIX II

Extracts from a charter formerly among the muniments of the Abbey of St. Martin d'Auchy, near Aumâle, and now in the archives of the Seine Inférieure at Rouen.

Translation.

"In the name of our Lord Jesus Christ, in this charter are contained the benefices and rents hereby specified, of the Church of the Mother of the Lord, the Virgin Mary, and of St. Martin the Confessor of Christ, which in the time of Richard, fourth Duke of the Normans, was founded near the town of Aumâle in the vill which is called Auchy, by a certain personage, to wit Guerinfridus, who was also the founder of the castle which is called Albamarla upon the river which is called Eu, in that part where it divides the province of Amiens from the land of the Normans; and the same personage, to wit the venerable Guerinfridus established in the above mentioned church six canons to serve the Lord, and endowed it according to his means with lands and rents, tithes and advowsons wherewith the clerks who ministered in the church might be supported; all which we have been careful to set down below by order of the Count Enquerrand, who was the son of Berta, daughter of Guerinfridus, named above, and of the Countess Adelidis his wife, sister to wit of William, King of the English, who wishes them to be authenticated by writing, to the intent that none of the benefices of the church should be taken away by posterity."

Then follows at length various regulations and lists of benefactions, among others the gifts of the Countess Adelidis, the sister of William the Conqueror, and her daughter, Countess Judith, and immediately following them the donations of *Roger de Berkeley* and *Rissa* his wife, as given on page 19. In the original Latin the record of their donation reads:

"Rursus *Rogerus de Berchelaico* cum uxore sua *Rissa* dedit cappam unam de pallio, nec minus quoddam preciosum vestimentum sacerdotale in quo nec cingulum defuit, dedit idem et calicem argenteum, crucem auream et duas campanas."

HISTORY OF THE BARCLAY FAMILY

APPENDIX III

CHARTERS IN THE MUNIMENT ROOM OF BERKELEY CASTLE

I

Grant from Henry, Duke of Normandy, Count of Anjou, to Robert Fitzharding, of certain land in the Manor of Berkeley, with an undertaking to build a castle at Berkeley. Dated at Bristol in the year 1153.

2

Marriage contract between Rodbert Fitzharding and Roger de Berckele, made in the house of the said Rodbert at Bristol, in the presence of Henry, Duke of Normandy, whereby it is covenanted that Maurice, son of Rodbert Fitzharding, shall take in marriage the daughter of Roger de Berckele, with Slimbridge as her portion, and that Roger, the son and heir of Roger de Berckele, shall take in marriage the daughter of the said Rodbert Fitzharding with the manor of Siston for dowry. Date about November, 1153.

Copy of the Actual Charter.

(Translation on page 38)

Iste sunt pactiones que facte fuerunt inter Rodbertum filium Hardingi et Rogerum de Berckel' in domo Rodberti filii Hardingi apud Bristou in presentia domini Henrici ducis Normannorum et Aquitanie et comitis Andegavie ejusdem assensu et in presentia multorum aliorum clericorum et laicorum.

Mauricius filius Rodberti filii hardingi cepit filiam Rogeri de Berckel' in uxorem ita quod Rogerus dedit Mauricio cum filia sua in matrimonio Slimbrugiam que est de sua hereditate, hoc est decem libratas terre, et Mauricius concessu patris sui Rodberti filii Hardingi dedit filie Rogeri quam ipse cepit uxorem in dotem xx libratas terre de feudo de Berckel' assensu domini Henrici ducis. Tali conventionem quod si Mauricius filius Rodberti moreretur antequam cepisset filiam Rogeri uxorem: frater ejus post eum primogenitus acciperet eam uxorem per

HISTORY OF THE BARCLAY FAMILY

APPENDIX
III.

supradictas conventiones. Et si etiam ille alter filius Rodberti moreretur ante sponsalia filie Rogeri: quisquis de filiis Rodberti post illum heres remaneret filiam Rogeri uxorem acciperet. Similiter si filia Rogeri antequam desponsaretur Mauricio filio Rodberti moreretur, secunda post ipsam Mauricio daretur in uxorem vel cuilibet fratrum suorum qui heres remaneret post Mauricium. Ita et de ceteris filiabus Rogeri si primogenite morerentur illa que remaneret post ipsas daretur illi de filiis Rodberti filii Hardingi qui heres ejus remaneret, sicut superius prelocutum est. Preterea filius Rogeri de berckel' qui heres ejus est debet accipere uxorem unam de filiabus Rodberti filii Hardingi et Rogerius de Berckelai debet illi filie Rodberti dare in dotem manerium Sistone prope Bristou quod manerium est de hereditate Rogeri. Et Rodbertus filius Hardingi debet dare in matrimonium cum filia sua filio Rogeri x librates et x solidatas terre apud Derselegam eo pacto quod si una de filiabus Rodberti filii Hardingi moreretur antequam filius Rogeri eam acciperet uxorem: altera filia Rodberti daretur illi. Et si utraque filia Rodberti ante sponsalia moreretur: filius Rogeri qui heres ejus esset acciperet uxorem filiam hugonis de Hasele neptim Rodberti filii hardingi. Similiter si primogenitus Rogeri de berckel' moreretur ante supradicta sponsalia ille de fratribus suis qui remaneret post ipsum primogenitus et heres acciperet uxorem unam de filiabus Rodberti filii Hardingi que domi sunt vel si utraque ante sponsalia moreretur, filiam Hugonis de Hasele per supradictas pactiones. Has pactiones affidaverunt Rodbertus filius Hardingi et Rogerus de Berckelai tenere et servare sine fallacia et dolo et posuerunt Dominum Henricum ducem obsidem et justiciam inter se de servandis his pactionibus. Hoc etiam affidaverunt viii probi viri ex parte Rodberti et alii viii ex parte Rogeri quorum nomina hec sunt. Ex parte Rogeri Willelmus filius Henrici, Rogerus de Sckai, Radulphus de Huelega, Walke-linus, Engebaldus de Gosintunia, Guido de Rupe, Gwaiferus de Planca, Hugo de Planca frater ejus. De parte Roberti, Hugo de Hasela, Nigellus filius Arthuri, Robertus de Saltemareis, Helyas frater Rodberti filii Hardingi, Jordanus frater ejus, Jordanus le Warre, Nicholaus filius Rodberti, David

HISTORY OF THE BARCLAY FAMILY

Duncepucke. Et isti viri Rodbertum et Rogerum in his pactionibus servandis totis juribus tenebunt. Quodsi Rodbertus et Rogerus de his pactionibus vellent exire, isti cogent eos pactiones tenere quantum poterint. Et si ipsi adquiescere noluerint, isti viri de servicio et amore eorum recedent. Et propter has supradictas pactiones Rogerus de Berkele clamavit quietum totum chalangium suum et quicquid juris habebat in firma de Berkalai.

APPENDIX
III.

The translation on page 38 made by the Abbot Newland in 1520 does not fully correspond with the above. Possibly it may have been made from another copy.

CHARTERS AT BERKELEY CASTLE

3

A confirmation by Roger de Berkeley to Maurice, the son of Nigel of sundry lands [1170].

In Latin, with large seal of green wax, representing man with shield, etc., in combat with a lion.

4

A grant from Roger de Berkeley, son of Roger de Berkeley, to Reginald Mazoni, of certain lands in Dursley. Latin, time of Henry II.

5

Grant from Aaleis de Berkeley to William, her son, of her burgage in Berkeley. Latin, 1190, with small white seal.

6

Grant from Aaleis de Berkele to Guy, son of Roger de Vilers, of land in Slimbridge, rent a pair of gilt spurs. Latin, late 12th century.

N.B.—This Aaleis de Berkeley was the daughter of Roger de Berkeley III, and the wife of Maurice Fitzhardinge, married after the Covenant before King Henry at Berkeley.

HISTORY OF THE BARCLAY FAMILY

APPENDIX
III.

7

Grant from Aaleis de Berkele on the request and with the consent of her son, Robert de Berkele, to Élias, son of Toke, her nurse and servant, of land in Slimbridge. Latin, late 12th century.

8

Grant from Aeliz, widow of Maurice de Berkeley, to Thomas of her land in Bristol. Witnesses: Roger de Berkeley, Philip and Oliver, his brothers, etc., etc. Latin, 12th century, with seal.

9

Grant from Aleis de Berkele to Thomas, her son, of all her lands in Berkeley. Witnesses, among others : Maurice and Henry de Berkeley, her sons. About 1200, Latin.

10

Grant from Aelesia de Berkelai to St. Augustine's Abbey, Bristol, of a house in Redclive Street, Bristol. She makes this for her soul's health. Witnesses: Robert de Berkelai, Philip de Berkelai. 12th century, Latin, with seal.

HISTORY OF THE BARCLAY FAMILY

APPENDIX IV

FROM THE CHARTULARY OF THE MONASTERY OF ST. PETER'S,
GLOUCESTER

I

List of donations to the monastery : Rogerus de Berkeleye junior anno Domini Millesimo nonagesimo quarto dedit Deo et Sancto Petro Gloucestriæ quandam terrulam Clehangre nomine consensu et confirmatione regis Willelmi junioris: abstutit vero Nyndesfeld tempore Serlonis abbatis.

2

Anno domini millesimo octogesimo septimo, Rogerus senior de Berkelee in discriptione totius Angliæ fecit Nymdesfeld describi ad mensam regis, abbate Serlone nesciente.

3

Anno Domini Millesimo nonagesimo tertio, Eustachius de Berkeleye reddidit Deo et Sancto Petro Gloucestriæ, Nymdesfeld tempore Serlonis abbatis.

4

Rogerus de Berkeleya ecclesiam de Oselworthe didit prioratui de Stanleye Ecclesiam de Coveleye Ecclesiam de Erlyng-ham Ecclesiam de Slymbrugge Ecclesiam de Uleye cum decimis et terris et omnibus rebus ad eas pertinentibus.

5

Rogerus de Berkeleye senior in die sancti Sebastiani sub domno Serlone abbate monarchus effectus reddidit Deo et Sancto Petro Gloucestriæ Shoteshore liberam et quietam, quam diu injuste tennerat, rege Willelmo Seniore confirmante. Hoc factum et anno Domini Millesimo nonagesimo primo.

HISTORY OF THE BARCLAY FAMILY

APPENDIX
IV.

6

Rogerus de Berkeleye junior reddidit Deo et Sancto Petro Gloucestriæ Shoteshore quam diu injuste tennerat, liberam et quietam, sicut eam ipsi monarchi præstiterunt tempore Willelmi abbatis.

7

Anno Domini Millesimo centesimo quadragesimo sexto Rogerus de Berkele dedic Deo et Conventui Santi Petri Gloucestriæ Ecclesiam sancti Leonardi de Stanleye cum omnibus pertinentiis suis assensu Tabrithri prioris et fratrum ejusdem loci, per manum domini Symonis Wygorniensis Episcopi. Idem Rogerus dedit Ecclesiam de Osleworthe prioratui de Stanleye et Ecclesiam de Coveley, et Ecclesiam de Erlyngham et ecclesiam de Slymbrugge, et ecclesiam de Uleye cum decimis, terris et omnibus rebus ad eam pertinentibus, tempore Gilberti abbatis.

8

List of donations to the monastery :

Rogerus senior de Berkeleye monarchus factus reddidit Schotteshore.

Rogerus de Berkeleye junior dedit Clehonger.

HISTORY OF THE BARCLAY FAMILY

APPENDIX V

CHARTERS FROM THE CHARTULARY OF THE ABBEY OF KINGS- WOOD, WILTSHIRE

I

Carta R. de Berckley

Notum sit fidelibus omnibus quod ego R. de Berckley concessu regis et rogatu, sed et petitione capituli Cistercii consensu quoque conjugis meæ et hæredis mei, concessi monarchis de Kingswode Misertus paupertatis eorum, transferre abbatiam suam de fædo meo quam antecessores mei fundaverunt; hoc tenore, ut manerium illud, scilicet Kingswode remaneat illis liberum et quietum ab omnibus serviciis secularibus et querelis sicut prius fuit, stante ibi abbatia.

Ita tamen, ut ibi ab uno sacerdote monacho missa continue privatim celebretur, simque particeps omnium beneficiorum translatae abbatiæ tanquam fundator, et omnium abbatiarum Cisterciensis ordinis, tam ego quam conjux mea et hæres meus cum antecessoribus et successoribus meis. Ipsi autem monarchi ut meliorem gratiam invenirent apud me, dederunt mihi viginti septem marcas et dimidiam, et filio meo unum cacorem vel unam marcam, et manutenebo eos pro posse meo sicut fundator. Et si forte quolibet modo redierint, reddam eis quantum dederunt ad suum placitum. Hanc pactionem me servaturum fide firma, Testes, etc.

2

Carta R. de Berckley

R. de Berckley omnibus fidelibus qui literas istas inspexerint salutem. Notum sib vobis quod Willielmus de Berckley dedit abbaciæ de Tynterna, pro salute anima Henrici regis Angliæ et suæ, totum Kingswode cum omnibus pertinensiis suis ad construendam ibi abbatiam de ordine Cisterciensi, et pater meus illud gratum habuit et ratum tenuit. Et postquam abbatia de Kingswode translata erat ad Tettebiriam, consensu patris mei R. de Berckley, ipse pater meus consensu et

HISTORY OF THE BARCLAY FAMILY

APPENDIX
V.

voluntate mea dedit et concessit Bernardo de Sancto Walerico quadraginta acras apud Mureford ad removendam illuc abbatiā suam quæ fuit prius apud Tettebiriam. His testibus.

3

Carta Hen. I Regis Angliæ

H. Rex Angliæ S. Wigorn Episcopo et N. Gloucestriæ omnibusque baronibus suis et fidelibus suis Francis et Anglis de Gloucestreschire salutem. Sciatis me concessisse *Rogero de Berchley* quod det Acheolt in perpetuam elemosinam canonicis vel monarchis pro animabus nostris et antecessorum nostrorum. Quare volo et firmita præcipio quod prædicta terra sit ita libera et quieta ex omnibus servitiis et querelis et consuetudinibus sicut ego ipse melius et liberius tenebam in meo dominio. Testibus W. Camerario de Tancervill et M. Gloucestriæ, et Pagano filio Johannis, apud Elingas.

4

Letter of William de Berkeley to Pope Innocent

Reverendissimo Dei gratia domino Papæ Innocencio Willielmus de Berkeley et fundator Kingswode reverentiam cum fide et . . . hillaritate summo pontifici debitam. Pia pastoris gratia subditos affectio votum beati Petri apostolorum principis successorem interpellare pusillanimitati nostræ ausum dedit. Præterea dextra in sublevando sedula in dando munifica omnem in desiderio sancto querulam excludit repulsam; inde ne in hoc negotio ulla tumultuetur opacitas, rem ex integra magestati vestræ intimari juravimus. Henricus Rex Anglorum patruo nostro *Rogero de Berkeley* certi pretii taxatione terram quandam absque calumpnia sibimet reservatam dedit, conditione tali quatenus eam religioni horum alteri profitenti monachatum, scilicet seu canonicatum sanciret. Sed quoniam hic idem morte præventus est, memor tum propositi, illam nobis condicione præfata legavit. Et ne inde ulla inposterum exactio violens posset inferri regis præfati munimento, præsentia vestræ delato confirmavit. Nos itaque voluntate ejus

HISTORY OF THE BARCLAY FAMILY

supplentes ordini Cisterciensi, quia cœteris in sanctitate preponderare nobis visus est, terram illam ab patruo scilicet hoc sine vobis legatam ad abbatiam fundandam concessimus. Proinde vestra eidem ordini auctoritas moderetur cantelam, quatenus idem ratam habeatur et constans et ne ejus rei ulla possit dissolutio uspiam inveniri, precamur benevolenciæ vestræ gratiam, quatenus auctoritate apostolica corroboretur, ut siquis exactionis cujuslibet, aut etiam detrimenti calumpnia molitus Romano, insuper privilegio versuciam conetur inferre, anathematis gladio percussus absistat. Valete.

APPENDIX
V.

A translation of the above letter will be found on page 31.

5

Carta Rogeri de Berkley de Kingswode cum pertinentiis
[Dated 1148]

Simoni Episcopo Wigorn et omnibus fidelibus *Rogerus de Berkeley* salutem. Notum vobis sit quod ego Rogerus de Berkeley pro me ipso et uxore mea, et liberis meis et pro anima patris mei et antecessorum meorum, concedo et confirmo abbati et monarchis de Kingswode totam terram de Kingswode, tam nemus quam culturas et prata et quicquid ad ipsam pertinet liberam et quietam ab omnibus querelis et nominatim a servitio unius militis, quod *Willielmus de Berkley* pro feudo ipsius abbatis mihi debebat. Ipsi vero monarchi in capitulo eorum receperunt me prædicti loci fundatorem. Datum apud Chiveleiam sexto idus martii anno ab incarnatione *millesimo centesimo quadragesimo octavo*. Testes sunt Simon Episcopus Wigorn. Willielmus abbas de Margan, et Gervasius Archidiaconus, Hugo monarchus de Truarcho, Hugo decanus, Johannes Papa, Willielmus de Winton et alii.

6

Carta *Rogeri de Berkley* senioris de Acholt

Sciant præsentēs et futuri quod ego Rogerus de Berkeleya pro Deo et salute animæ domini mei Henrici regis et animæ meæ et animarum hæredum meorum et omniam antecessorum

HISTORY OF THE BARCLAY FAMILY

APPENDIX
V.

et successorum meorum dedi, concessi et hac præsentī carta mea confirmavi Deo et Ecclesiæ beatæ Mariæ de Kingeswode et monarchis ibidem Deo servientibus totum manerium meum de Acholte, cum omnibus pertinentibus suis in liberam puram et perpetuam elemosinam tenendum et habendum omnia prædicta, Ecclesiæ suæ prædictæ et monarchis ibidem Deo servientibus et eorum successoribus libere et quiete ab omnibus exactionibus secularibus sicut libera et pura elemosina liberius et purius haberi et teneri et excogitari poterit imperpetuum. Et ego prædictus Rogerus et hæredes mei warantizabimus prædictum manerium de Acholte cum omnibus quibuscumque pertinentiis suis prædictæ ecclesiæ de Kingeswode et monarchis ibidem Deo servientibus et eorum successoribus sicut liberam et puram et perpetuam elemosinam et acquietabimus eos et defendemus ab omnibus quæ unquam inde aliquo modo poterint contra omnes mortales imperpetuum. Et ut hæc mea donacio concessio et præsentis cartæ meæ confirmatio rata et stabilis imperpetuum permaneat, eandem sigilli mei munimine robaravi. Hiis testibus Simone Episcopo Wigorn, abbate santi Augustini de Bristol, abbate de Tynterna Roberto filio Hardyngi, Henrico Lovel et aliis.

7

Confirmatio *Rogeri de Berkeley* junioris de Manerio de Kingeswode.

Universis Christi fidelibus ad quos præseus carta pervenerit. Rogerus de Berkley, æternam in Domino salutem. Noverit universitas vestra me caritatis intuitu, pro animabus patris et matris meæ, et animabus antecessorum et hæredum meorum et uxorum mearum consilio et assensu hæredum meorum, concessisse et confirmasse Deo et ecclesiæ beatæ Mariæ de Kingeswode et monarchis ibidem Deo servientibus in perpetuam et puram elemosinam, totum manerium de Kingeswode quod præfati monarchi ejusdem loci tenuerunt *de Rogero patre meo* et me tenendum et habendum de me et hæredibus meis, in bosco et plano culturis et pasturis, aquis et pratis, viis

HISTORY OF THE BARCLAY FAMILY

et semitis, liberum et quietum ab omnibus querelis et exactionibus et nominatim a servicio unius militis quod *Willielmus de Berkley* pro feudo ipsius abbathiæ patri meo debebat. Prædicti vero monarchi in capitulo eorum receperunt prænominatum R. patrem meum et hæredes ipsius, prædicto *Willielmo de Berkley* annuente et consentiente suæ domus fundatore. Hiis testibus Roberto de Berkleya, nepote meo, *Philippo et Olivero fratribus meis*, et Willielmo filio meo magistro Richardo de Rorestan et Benedicto capellano fratre Richardo de Bradeleya et aliis.

APPENDIX
V.

HISTORY OF THE BARCLAY FAMILY

APPENDIX VI

FROM THE REGISTER OF CHARTERS OF MALMESBURY ABBEY.
PRESERVED AT THE PUBLIC RECORD OFFICE

Cap. xcvi. De una hida terræ in Chotherintone. Sciant omnes tam præsentis quam futuri quod ego *Rogerus de Berkeley* divinæ pietatis intuitu, et pro salute animæ meæ et antecessorum et successorum meorum, dedi et concessi et hac carta mea confirmavi Deo et Ecclesiæ Sancti Aldhelmi de Malmesburia, unam hidam terræ, de feodo meo in Cuderintone, ad vestituram monachorum ibidem Deo servientium, in puram et perpetuam elemosinam, liberam et quietam ab omni regali militari et seculari servicio. Quam videlicet hīdam *Rogerus avus meus et Rogerus pater meus*, eidem, ecclesiæ dederant et concesserant in puram et perpetuam elemosinam pro salute antecessorum et successorum suorum ut mererentur participes fieri omnium bonorum orationum et elemosinarum, etc., etc. His Testibus.

This is a charter by Roger III. In it he mentions Roger I and Roger II. The next charter is by Roger IV, and in almost identical terms.

HISTORY OF THE BARCLAY FAMILY

APPENDIX VII

FROM "GESTA STEPHANI" BY AN ECCLESIASTIC, A CONTEMPORANEOUS WRITER OF WHOM NOTHING IS KNOWN.
HE WAS CLEARLY A PARTISAN OF KING STEPHEN

Circa idem quoque tempus Walterius quidam frater comitis Herefordiæ, assensu, ut aiebant ipsius comitis, cepit *Rogerium de Berchelai*, insidiis prætensis circumventum; virum indemnem nec solum amicitia, et alternæ pacis fœdere sibi astrictum, sed et germana contribulis sanguinis cognatione propinquum; vestibisque tandem nudatum, et ludibriis expositum, sed et vinculis arctissime mancipatum, ante suum, quod in vicino habuerat castellum, tribus vicibus, loro collo innexo, suspenderunt, et tertio, laxatis vinculis, ad ima dimiserunt; talibusque indecentibus modis interitum viro minitantes, immo eum, nisi castellum suum comiti committeret, ad interneciem dirissime compellentes inexanditi postremo discessere, miserumque seminecis *Rogerii* cadaver, quia tennis adhuc vitalis animæ spiritus in vexato corpore palpitabat secum ferentes, ad carceris perferenda supplicia diutius reservarunt, etc., etc.

HISTORY OF THE BARCLAY FAMILY

APPENDIX VIII

VARIOUS WAYS IN WHICH THE NAME OF BARCLAY IS SPELT

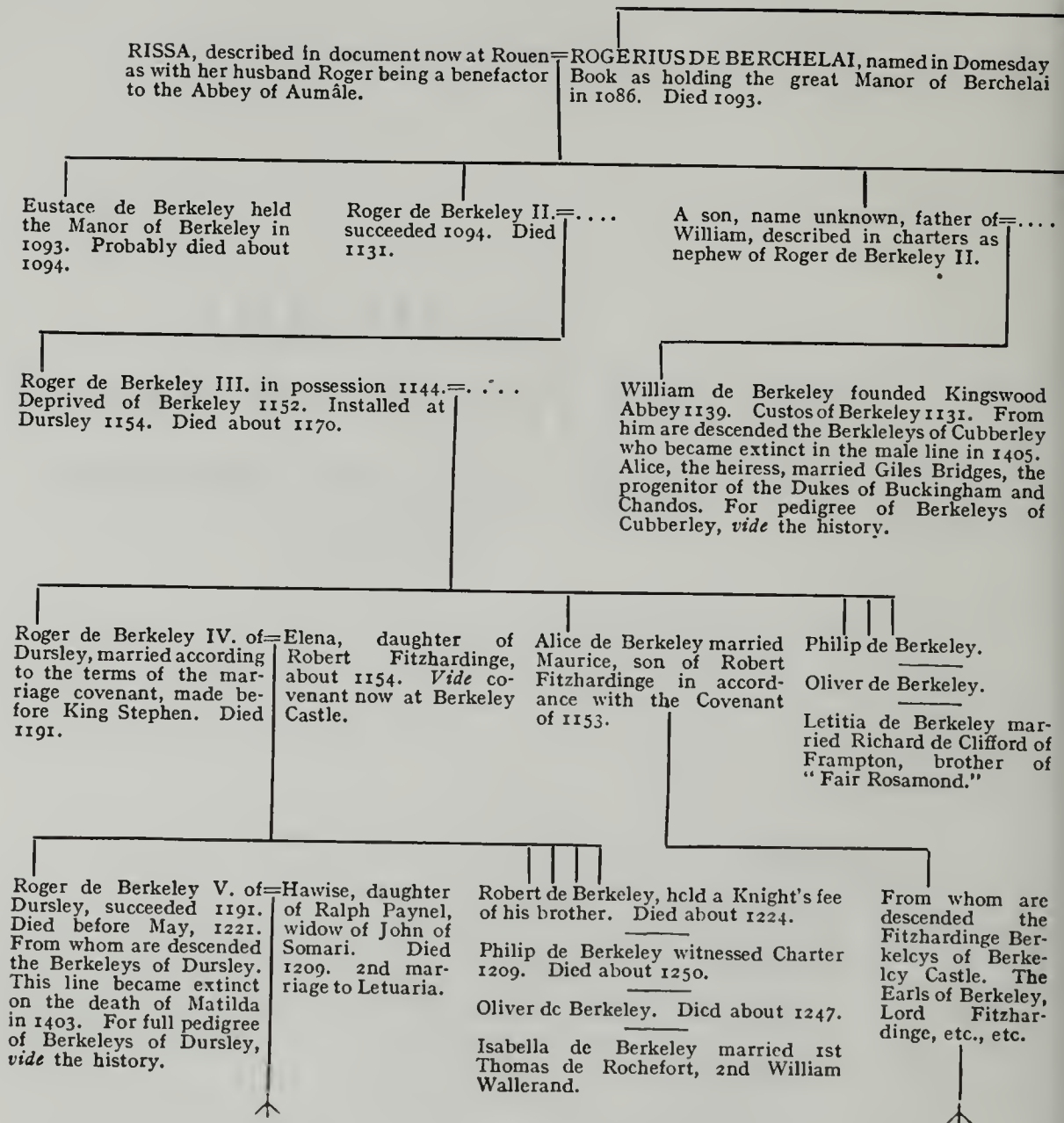
1. *Beorcenlau*: in the Saxon Chronicle.
2. Rogerius de *Berchelai*: Domesday Book, 1086.
3. Rogerias de *Berchelaico*: Aumâle Charter, before 1096.
4. Rogerius de *Berchelaia*: Roger II's seal.
5. *Beorkenlai*: Florence of Worcester's Chronicle.
6. Johan *Barclaye*: List of Friars, Gloucester Records.
7. Philip of *Berkeli*: Kingswood Charter, 1250.
8. *Berkely*: Kingswood Charter, 1275.
9. *Berkelegh*: Kingswood Charter, 1309.
10. Oliver de *Berkelay*: Kingswood Charter, 1243.
11. Rogerus de *Berkley*: Kingswood Charter.
12. Rogerus de *Berchley*: Kingswood Charter.
13. Robertus de *Berkleya*: Kingswood Charter.
14. Rogerus de *Bercheley*: Kingswood Charter.
15. Rogerus de *Berckle*: Kingswood Charter.
16. Roger de *Berckale*: Pipe Roll, 1159.
17. Rogerias de *Berckley*: Liber Niger scaccarii.
18. Roger de *Berkelai*: Pipe Roll, Gloucester.
19. Rogerius de *Berkele*: Pipe Roll, 9 John.
20. *Birecleia*: History of St. Peter's Abbey.
21. Rogerius de *Berkeleye*: Cartulary, St. Peter's, Gloucester.
22. Rog. de *Berchelei*: Cartulary, St. Peter's, Gloucester.
23. Eustachius de *Berkeleyee*: Cartulary, St. Peter's, Gloucester.
24. Rogerus senior de *Berkelee*: Cartulary, St. Peter's, Gloucester.
25. Rog. de *Berchele*: Cartulary, St. Peter's, Gloucester.
26. *Berkeleye*: Cartulary, St. Peter's, Gloucester.
27. *Birchlega*: Cartulary, St. Peter's, Gloucester.
28. Will^s de *Berckelai*: Magnus Rot. scarc. xxi Hen. I.
29. *Berckalai*: Magnus Rot. scarc. xxi Hen. I.
30. *Barkeley*: Gloucester Records.
31. Henricus *Berkel*: Book of Knights' Fees, Ed. i.
32. *Bearkley*: Dursley Papers.

HISTORY OF THE BARCLAY FAMILY

33. Johanne de *Bercle* de Dursele: Exchequer Books of Aids. APPENDIX VIII.
34. *Berkel'*: Feet of Fines.
35. *Bercleg'*: Feet of Fines.
36. *Berkleg'*: Feet of Fines.
37. *Berchela*: Cottonian MS., about 1100 A.D.
38. *Berchele*: Berkeley Charters at Berkeley Castle.
39. *Berclea*: Acts of Sinod at Cloveshoe, 824 A.D.
40. *Berckel'*: Marriage Covenant of Roger III.
41. *Berkelei*: Smyth's Lives of the Berkeleys.
42. *Bercley*: Spalding Club Papers.
43. Syr Alex. *Barklaye*: Translation of Saluste, 1451.
44. Walterus *Berclai* de Tolli: Charter of 1457.
45. Alexander *Berclay*: Dom. de Kerkow, 1400.
46. Valterus *Barculay* de Towie: Charter 1512.
47. Alexander de *Berklay*: Charter of Mathers, 1353.
48. Dame Isbel *Barkley*: Dun Papers, 1539.
49. *Barcley*: Burke's Armory, Devon.
50. *Barkele*: Burke's Armory, Cornwall.
51. *Barkeley*: Burke's Armory, Cornwall.
52. *Barkley*: Burke's Armory, Leicester.
53. *Barclei*, in Orlando Furioso.
54. Alexander *Barcklaye*: British Museum Catalogue.
55. *Barckley*: British Museum Catalogue.
56. *Barclæus*: British Museum Catalogue.
57. *Barclai*: British Museum Catalogue.
58. *Barclaius*: British Museum Catalogue.
59. *Bercley*: British Museum Catalogue.
60. *Barklay*: British Museum Catalogue.
61. *Barklai*: British Museum Catalogue.
62. *Berkelius*: British Museum Catalogue.
63. Robert de *Bercl'*: Charter of King Malcolm.
64. *Berkeley*: Modern spelling.
65. *Barkly*: Modern spelling.
66. *Barclay*: Modern spelling.

PEDIGREE
OF THE HOUSE OF BARCLAY
FROM ROGER DE BERCHELAI
1066—1924

HISTORY OF THE BARCLAY FAMILY



HISTORY OF THE BARCLAY FAMILY

Radulfus de Berchelai, named in Domesday Book as "frater Rogeri" holding several Manors in Gloucestershire and in Wiltshire.

John de Berkeley in 1069 went to Scotland in the retinue of Margaret, sister of Edgar Atheling. She became the wife of Malcolm Canmore, who granted to John de Berkeley the lands of Towie.

A daughter who became a nun at Shaftesbury Abbey.

Walter de Berkeley, = The heiress of elder son of John de Berkeley. Gartley, or Gairntully.

Sir Alexander Berkeley, Founder of Tollie or Towie Castle 1081 to 1136. From whom are descended the widely extended Barclays of Towie. The most eminent of the Towie line was Prince Barclay de Tollie, the great Russian General. Born 1759. Died 1818. The present Prince Barclay de Tollie was born 1892.

Theobald de Berkeley, = . . . grandson it is supposed of Walter de Berkeley. Mentioned in Arbroath Charters 1198-1214.

Humphrey de Berkeley of Gairntully, liberal benefactor to Abbey of Arbroath, mar. Agatha. Succeeded by his brother John.

John de Berkeley, living in the time of Alexander ii and iii. In the agreement with the Monks of Arbroath styled "Johannes filius Theobaldi." Died after 1249.

Richenda de Berkeley, heiress of Sir Humphrey Berkeley, mar. Robertus de Cunningham, styled in Charters "Robertus filius Vernealdi." From them are descended the Earls of Glencairn and Lord Kilmaurs.

Robertus de Berkeley, *vide* Arbroath Charters. Died about 1285.

Hugh de Berkeley, Justiciary of the Lothians 1255; Sheriff of Berwick 1258.

Sir Walter de Berkeley, Kt. of Gairntully, signed the Ragman roll 1296.

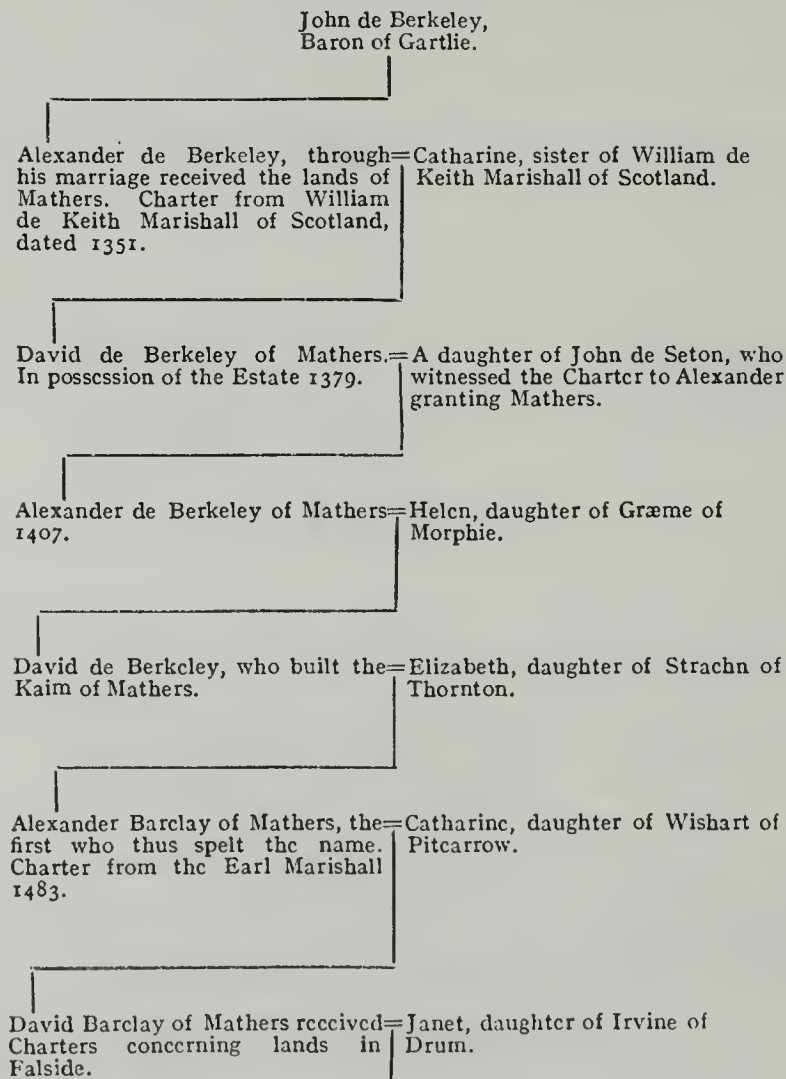
John de Berkeley.

To page iv.

A

HISTORY OF THE BARCLAY FAMILY

A
From page *iii*.

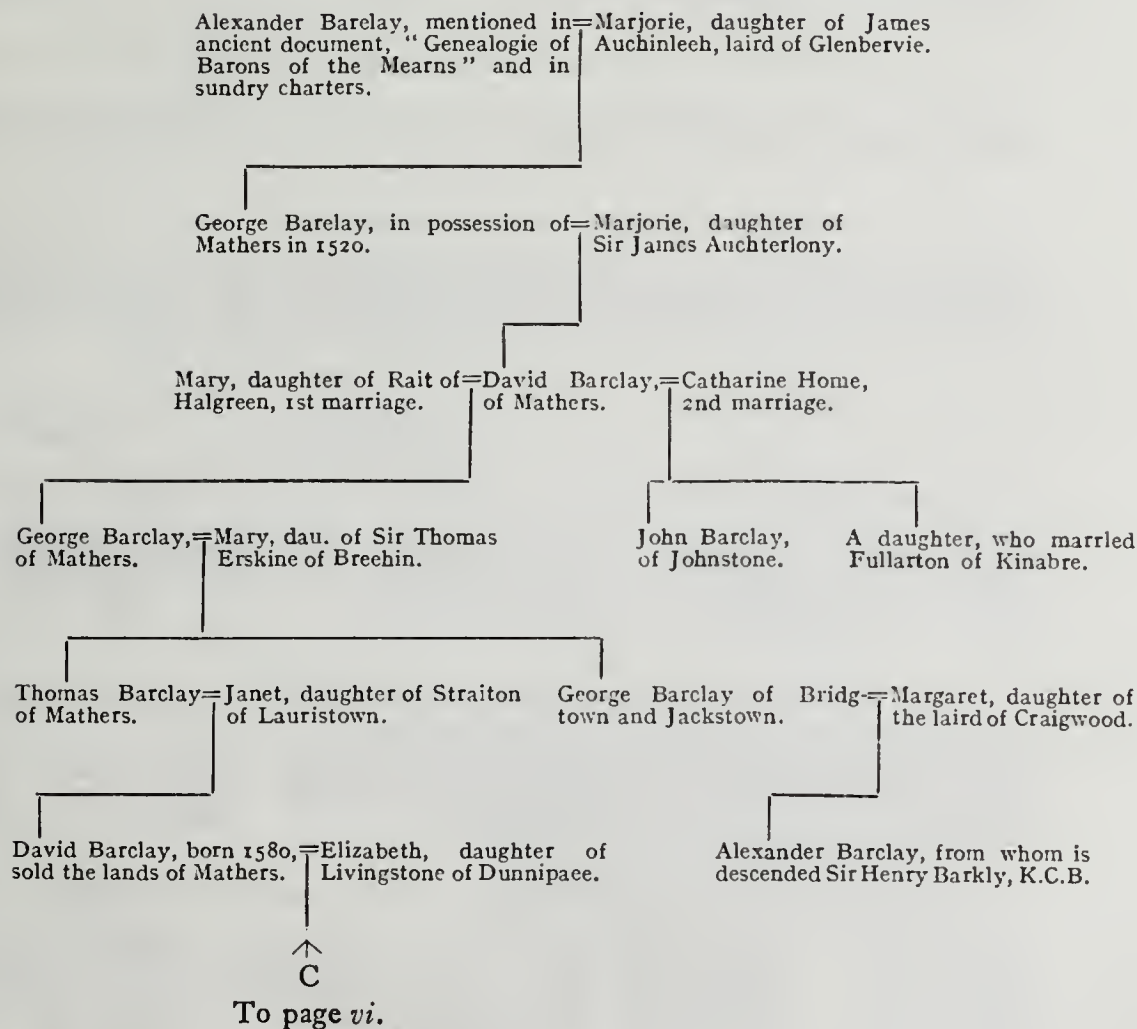


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To page *v*.

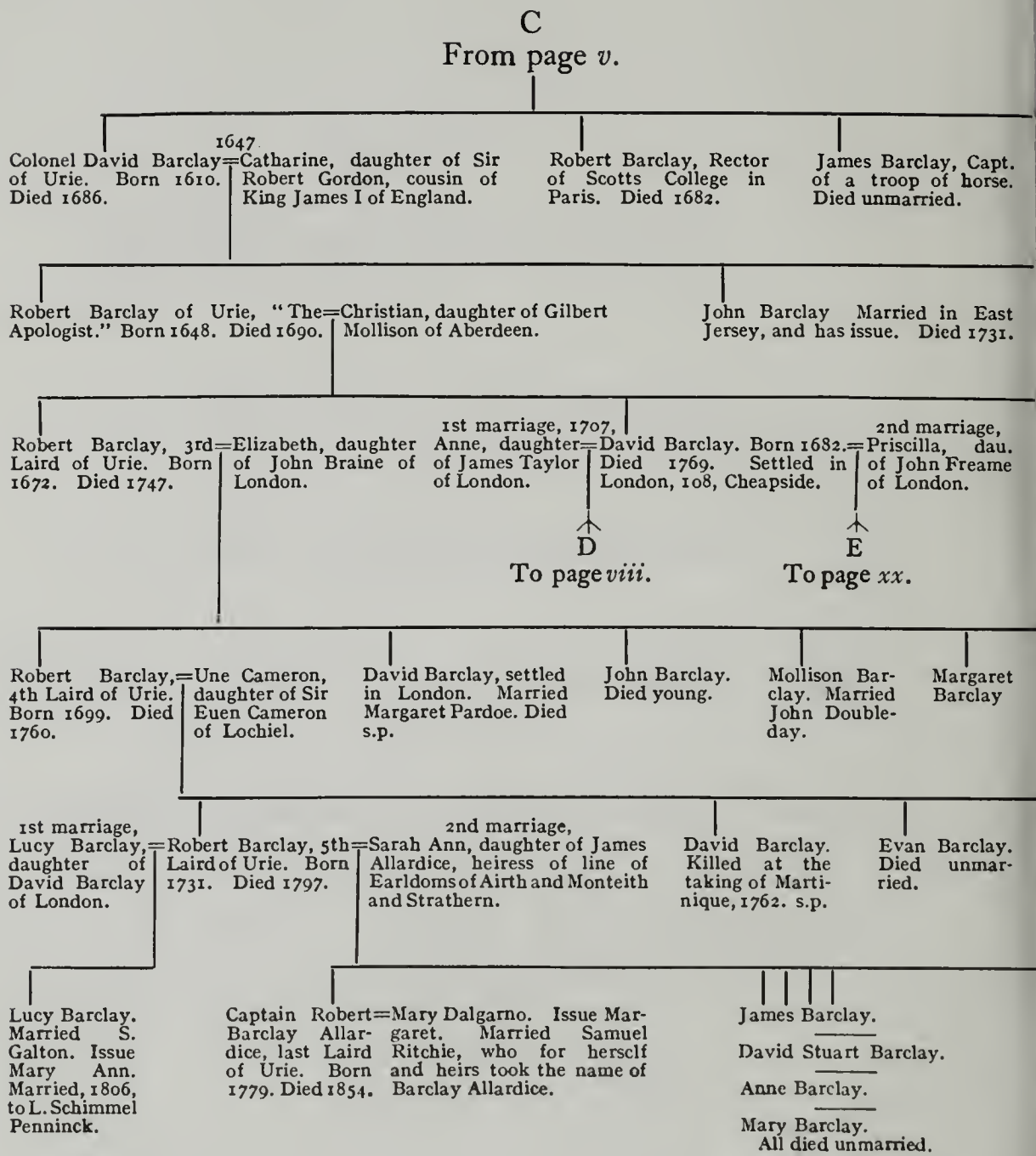
HISTORY OF THE BARCLAY FAMILY

B

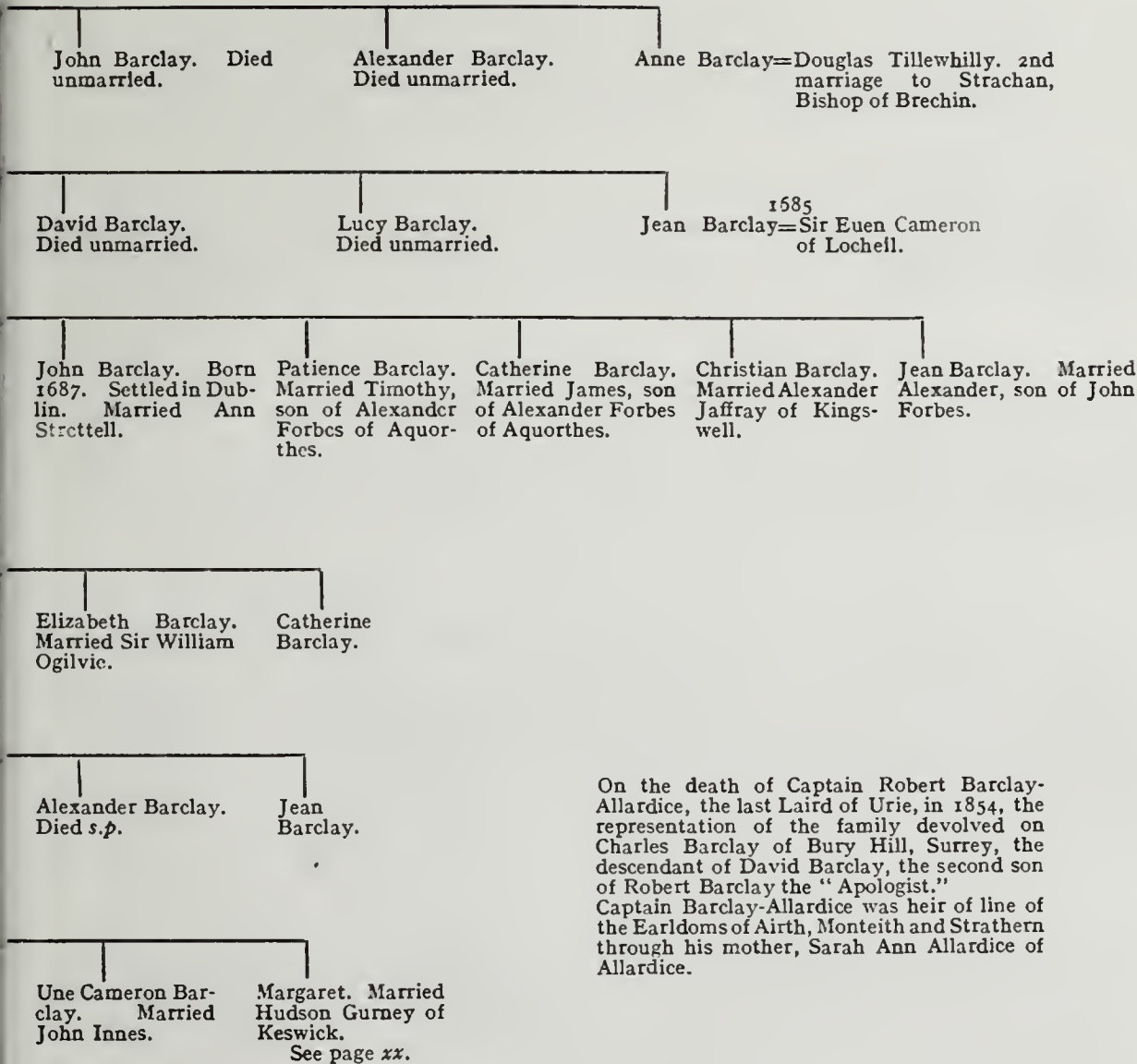
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HISTORY OF THE BARCLAY FAMILY



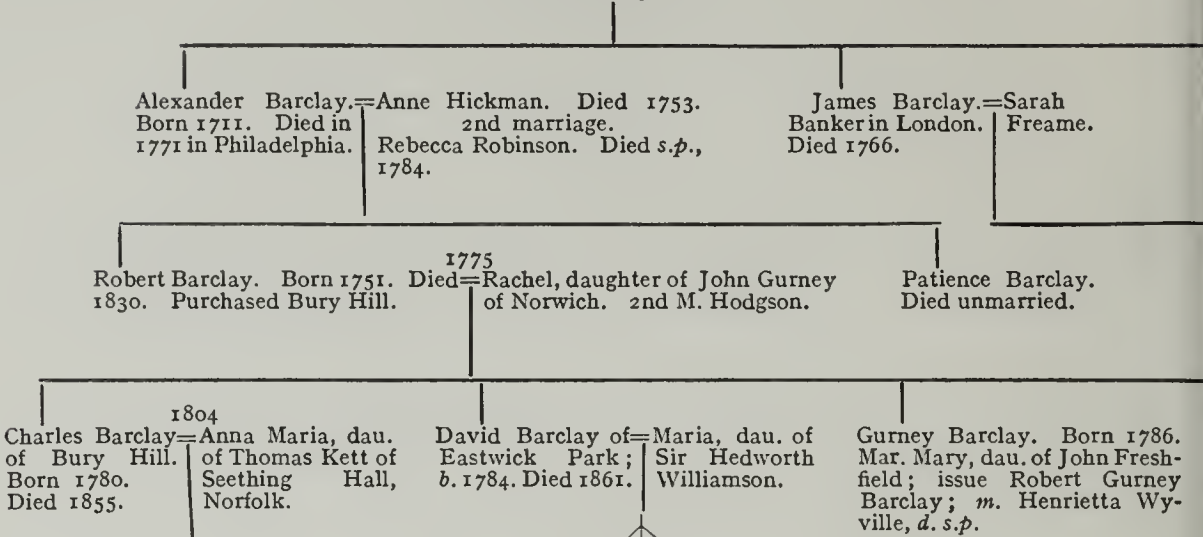
HISTORY OF THE BARCLAY FAMILY



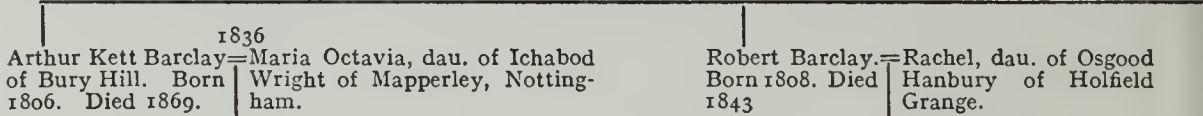
On the death of Captain Robert Barclay-Allardice, the last Laird of Urie, in 1854, the representation of the family devolved on Charles Barclay of Bury Hill, Surrey, the descendant of David Barclay, the second son of Robert Barclay the "Apologist." Captain Barclay-Allardice was heir of line of the Earldoms of Airth, Monteith and Strathern through his mother, Sarah Ann Allardice of Allardice.

HISTORY OF THE BARCLAY FAMILY

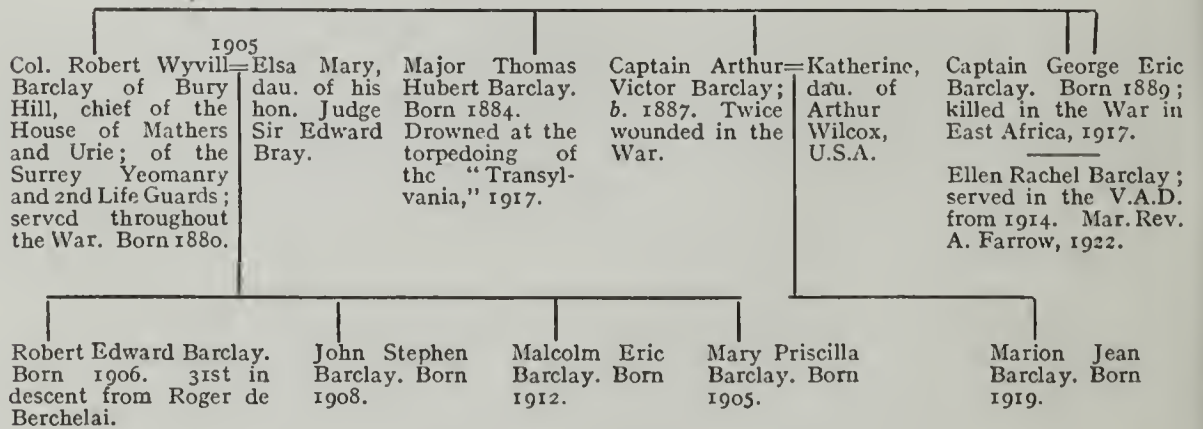
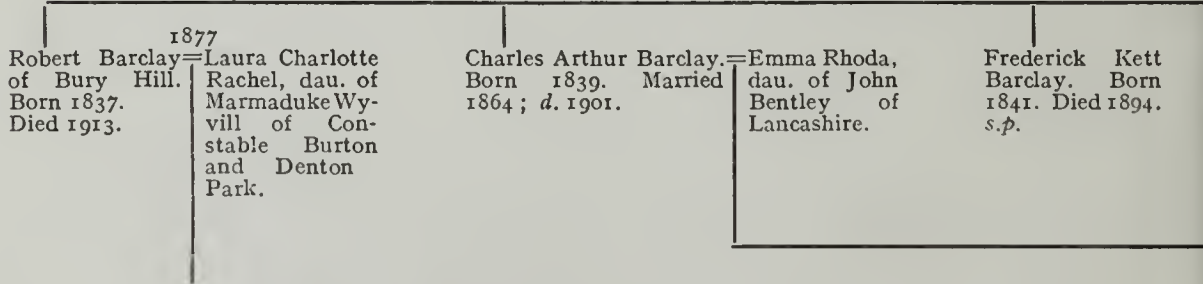
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From page vi.



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To page xvii.

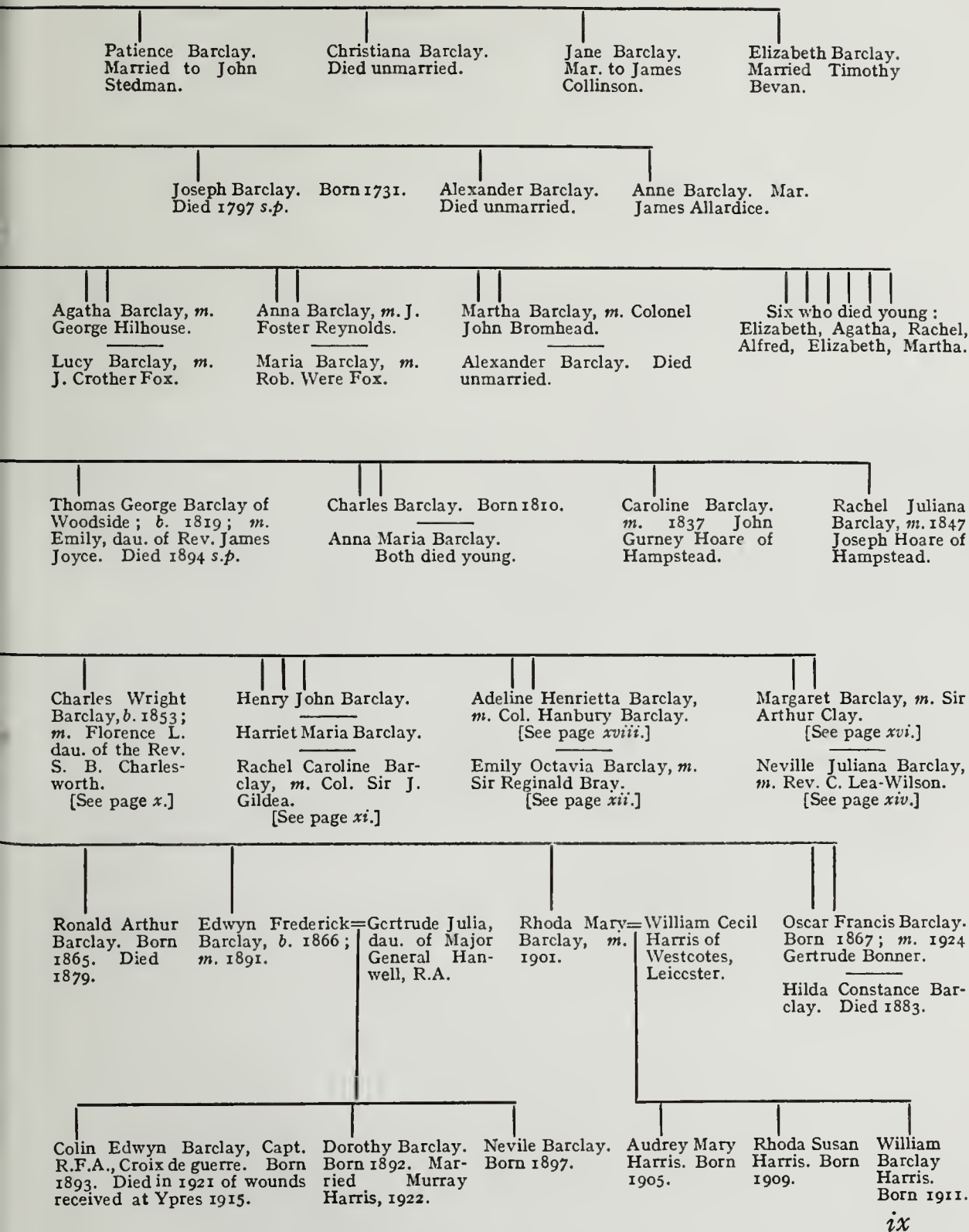


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To page xviii.



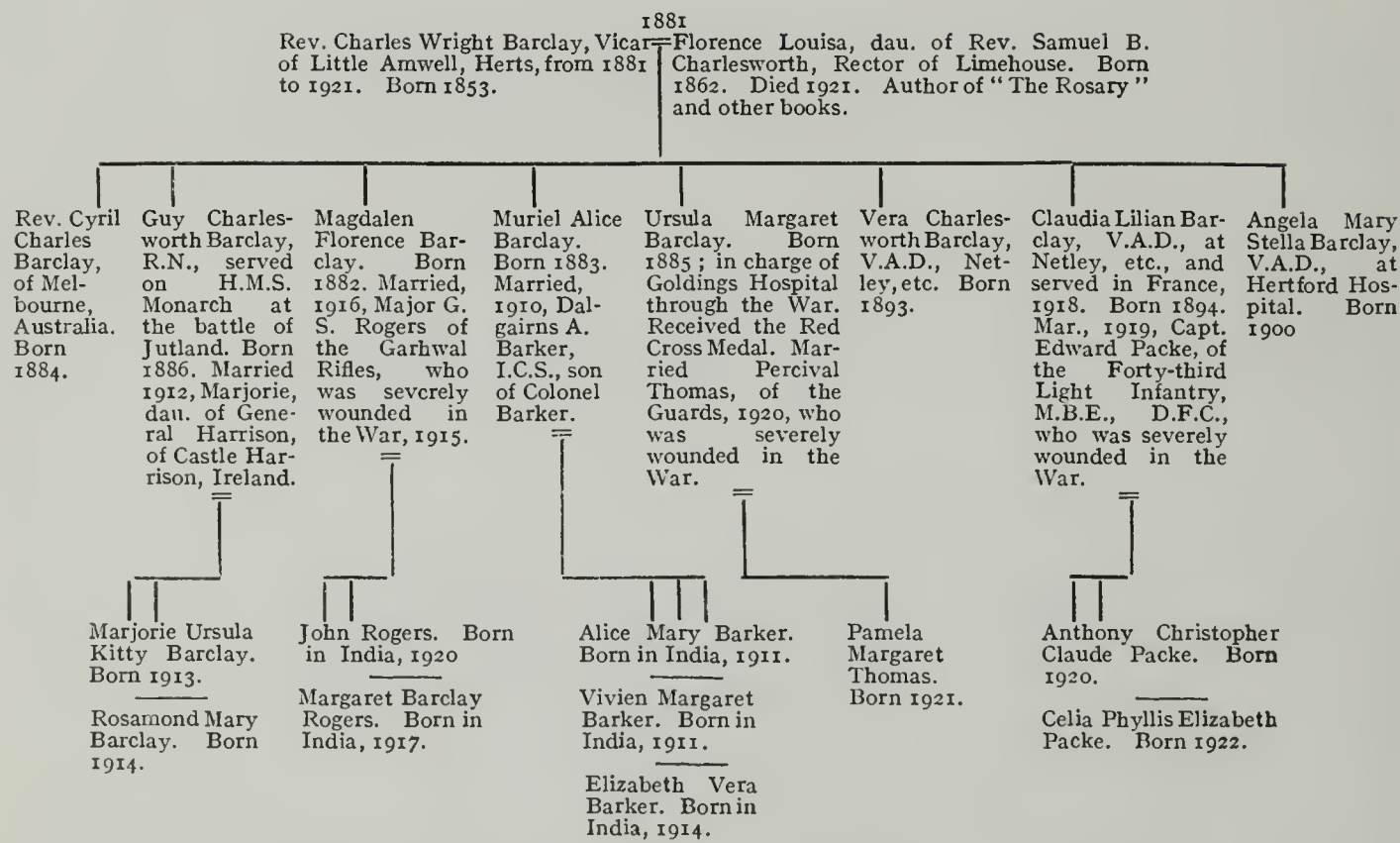
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HISTORY OF THE BARCLAY FAMILY



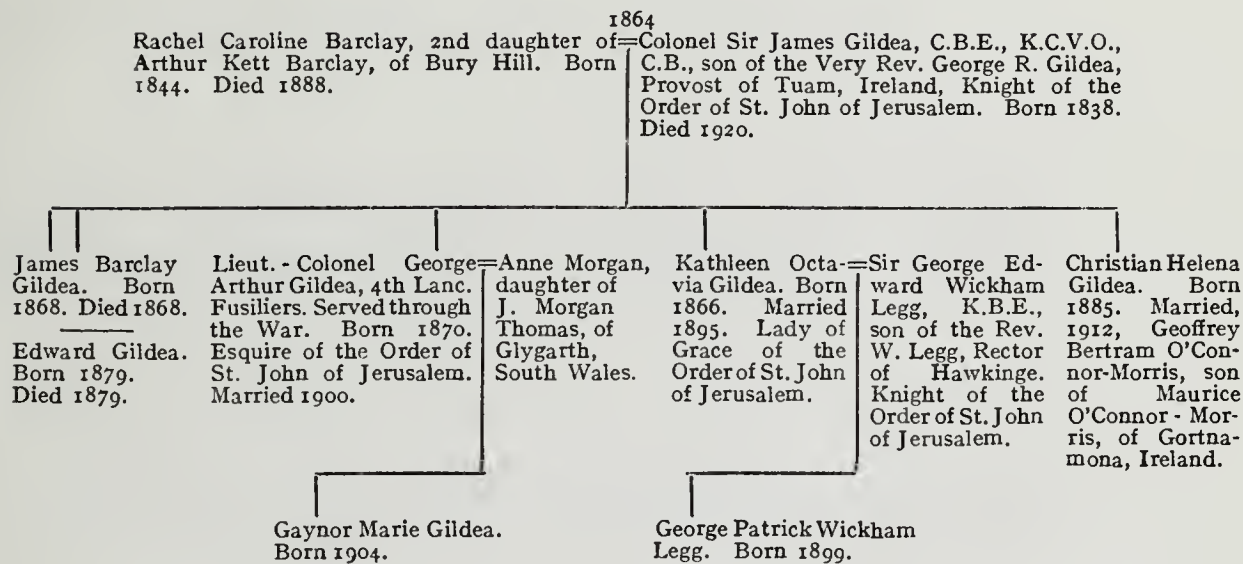
HISTORY OF THE BARCLAY FAMILY

From page *ix*.



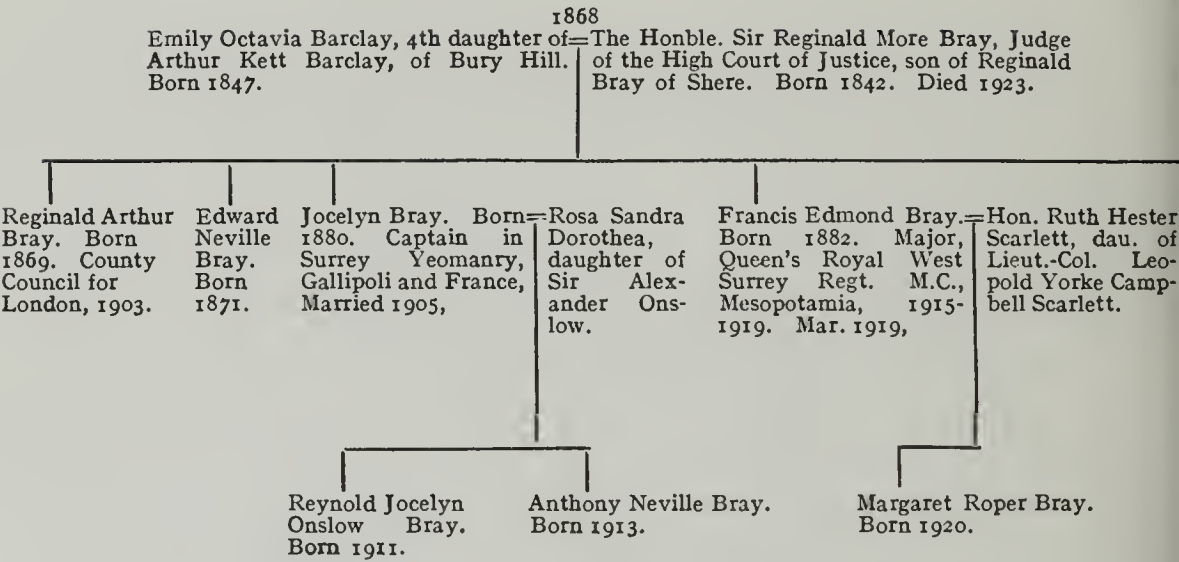
HISTORY OF THE BARCLAY FAMILY

From page ix.

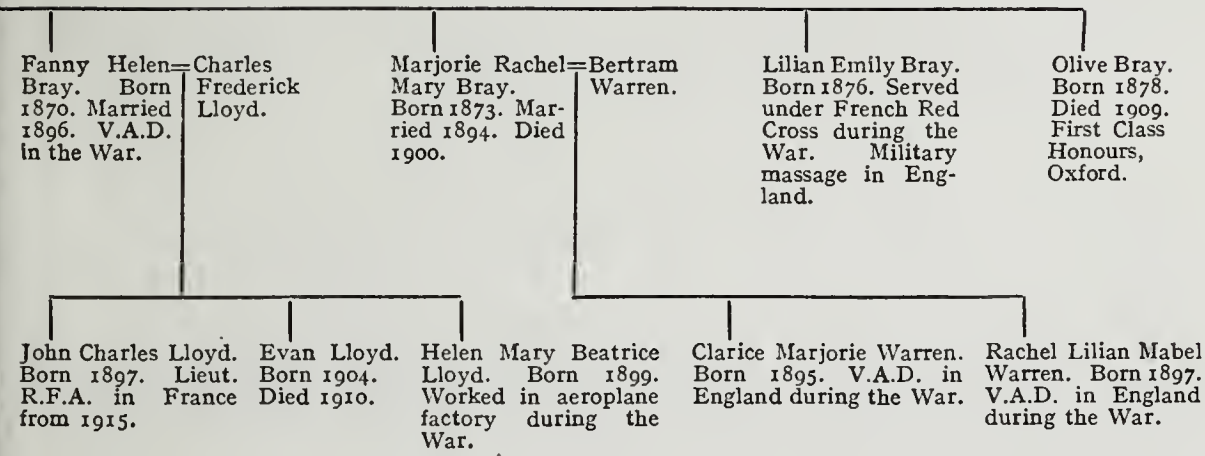


HISTORY OF THE BARCLAY FAMILY

From page ix.

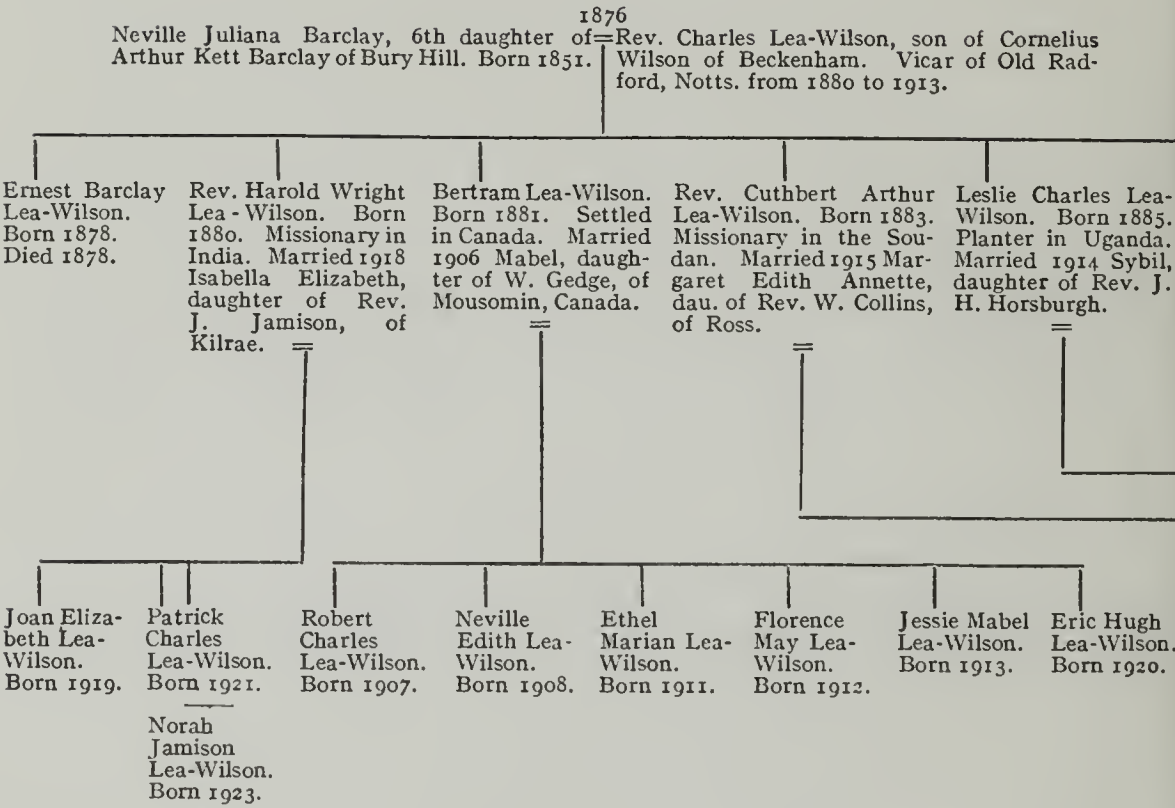


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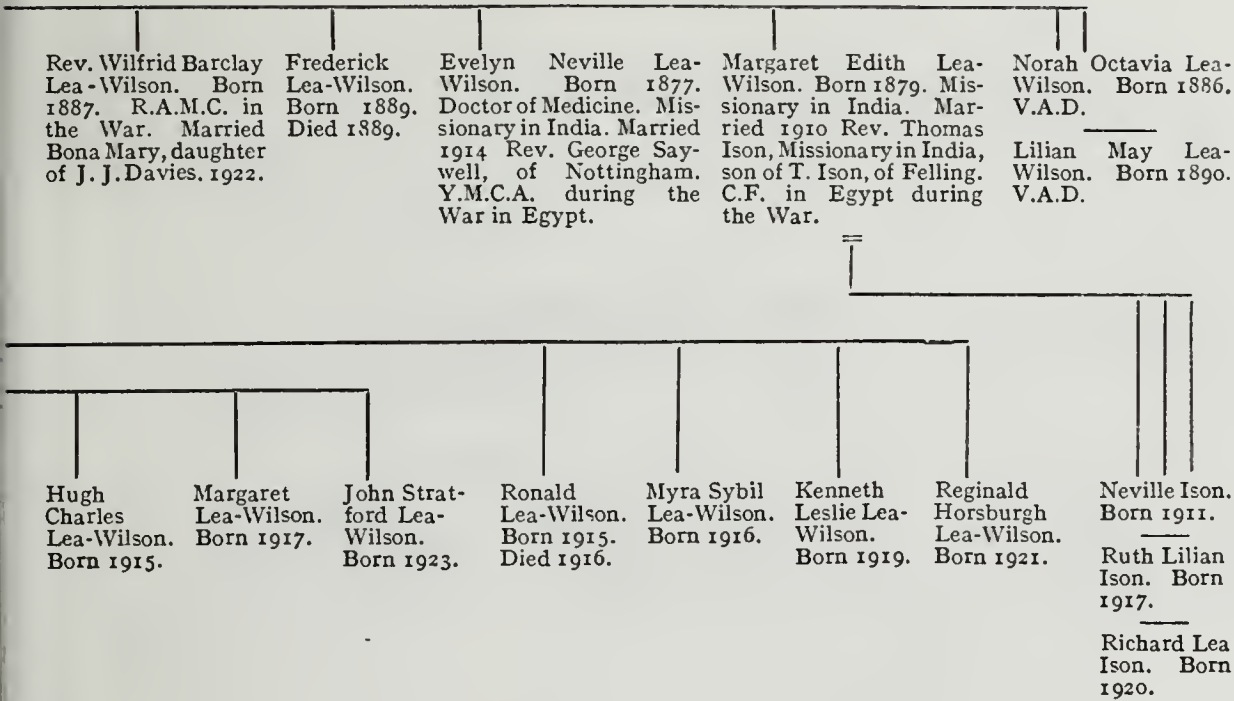


HISTORY OF THE BARCLAY FAMILY

From page ix.

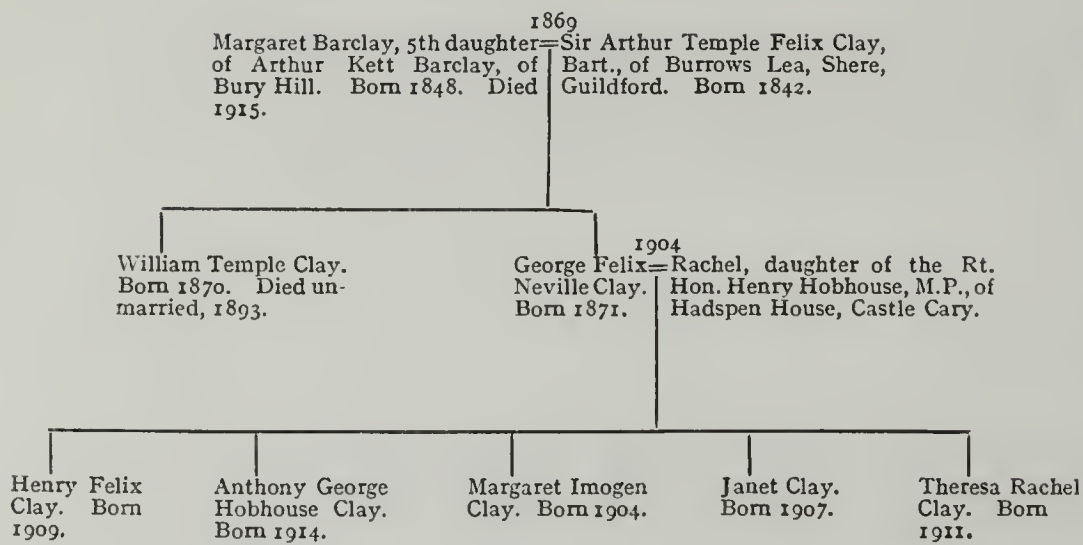


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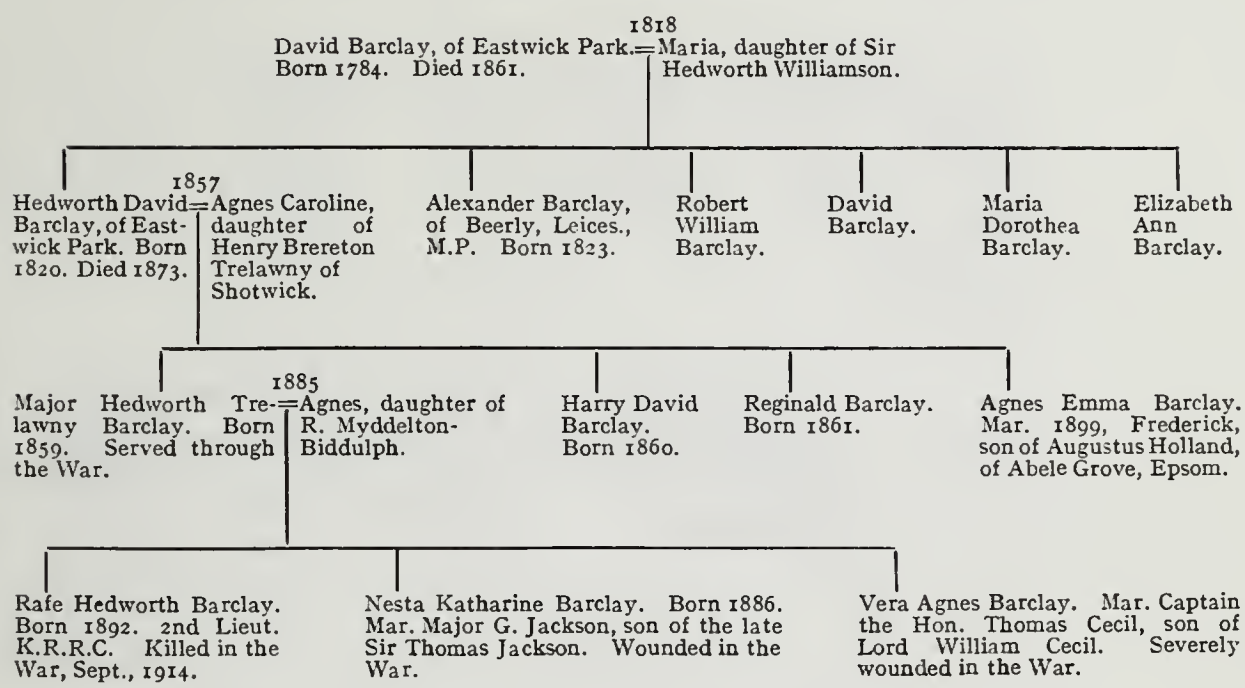
HISTORY OF THE BARCLAY FAMILY

From page *ix*.



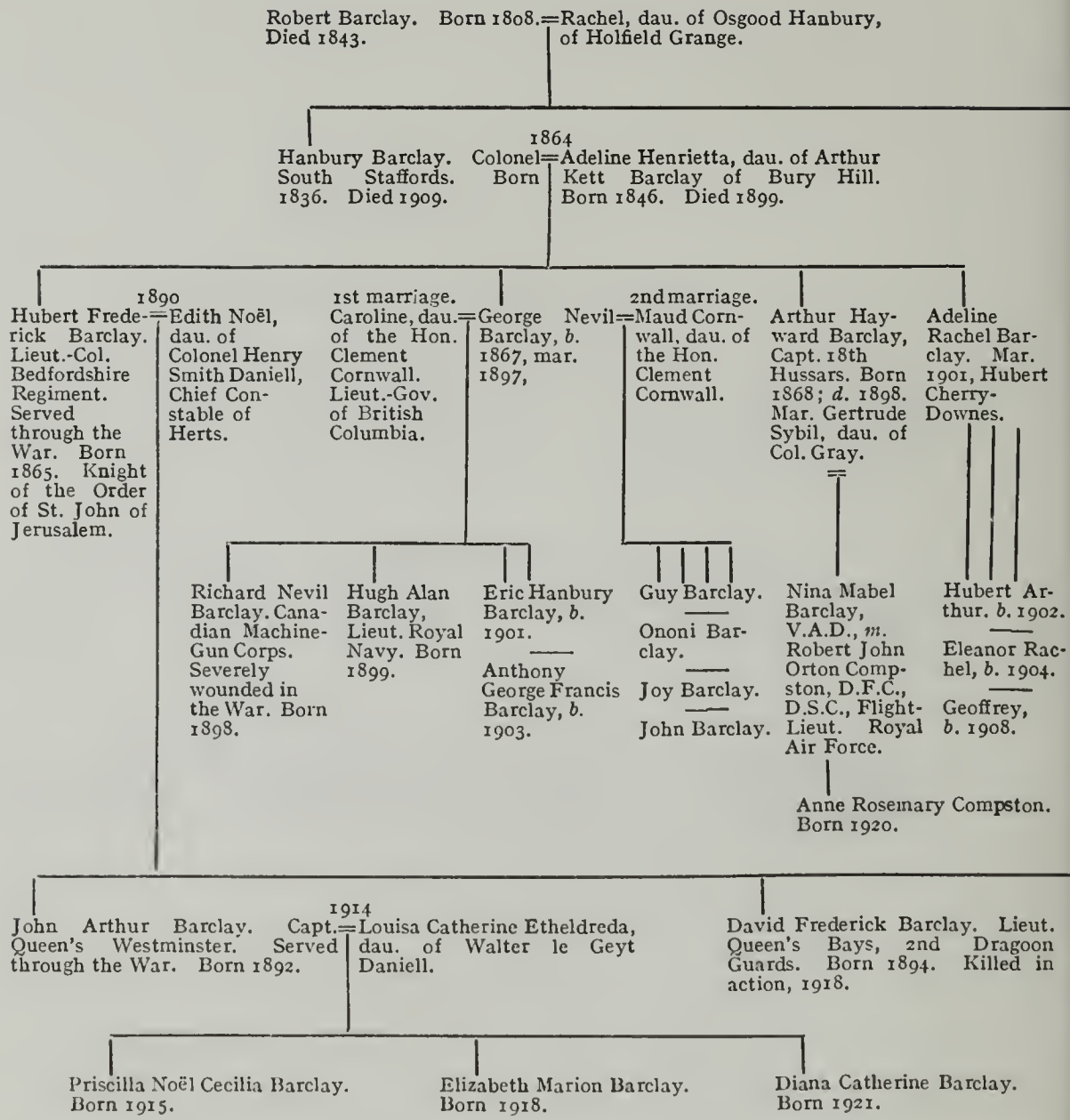
HISTORY OF THE BARCLAY FAMILY

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From page *viii*.

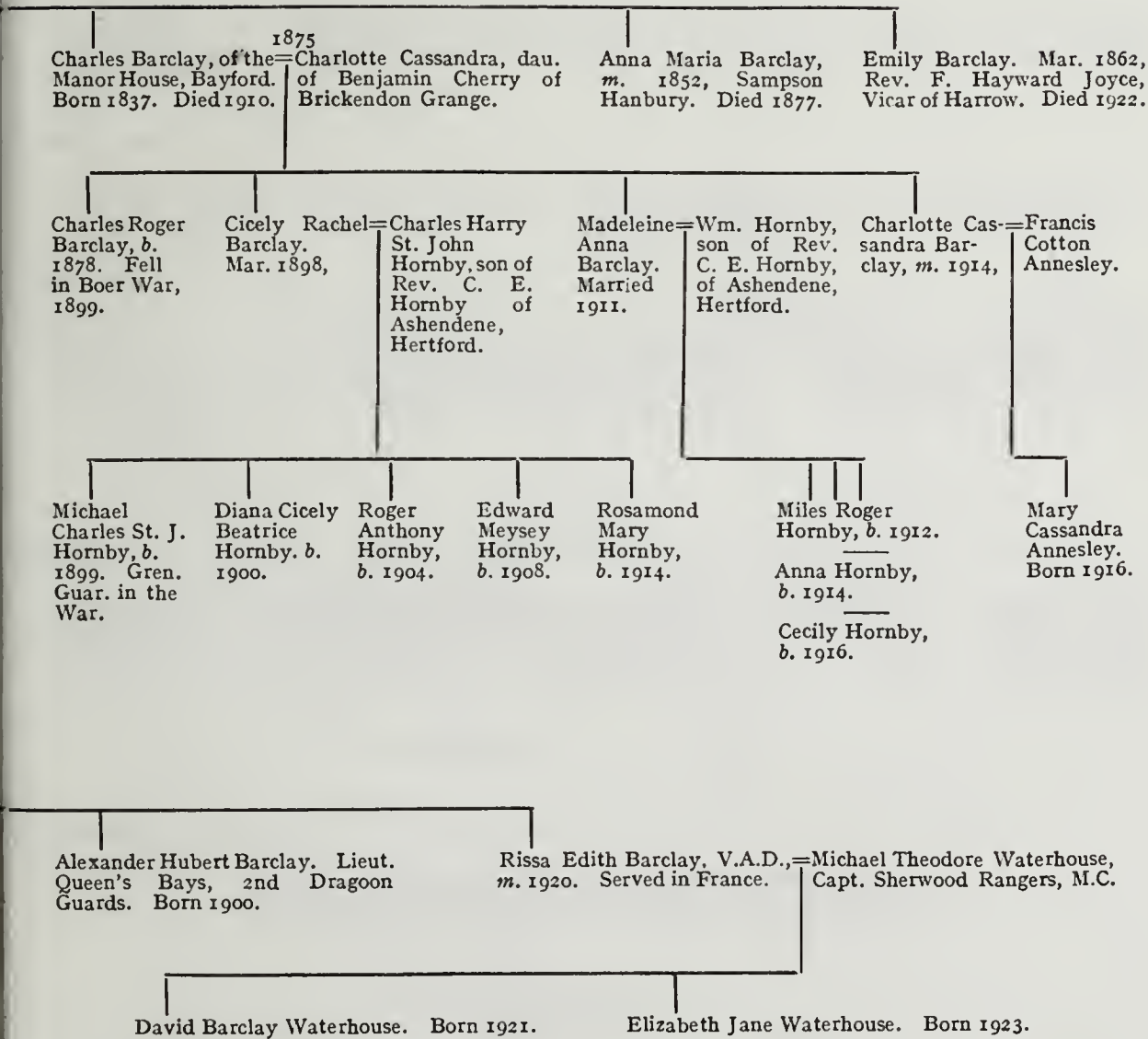


HISTORY OF THE BARCLAY FAMILY

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From page viii.

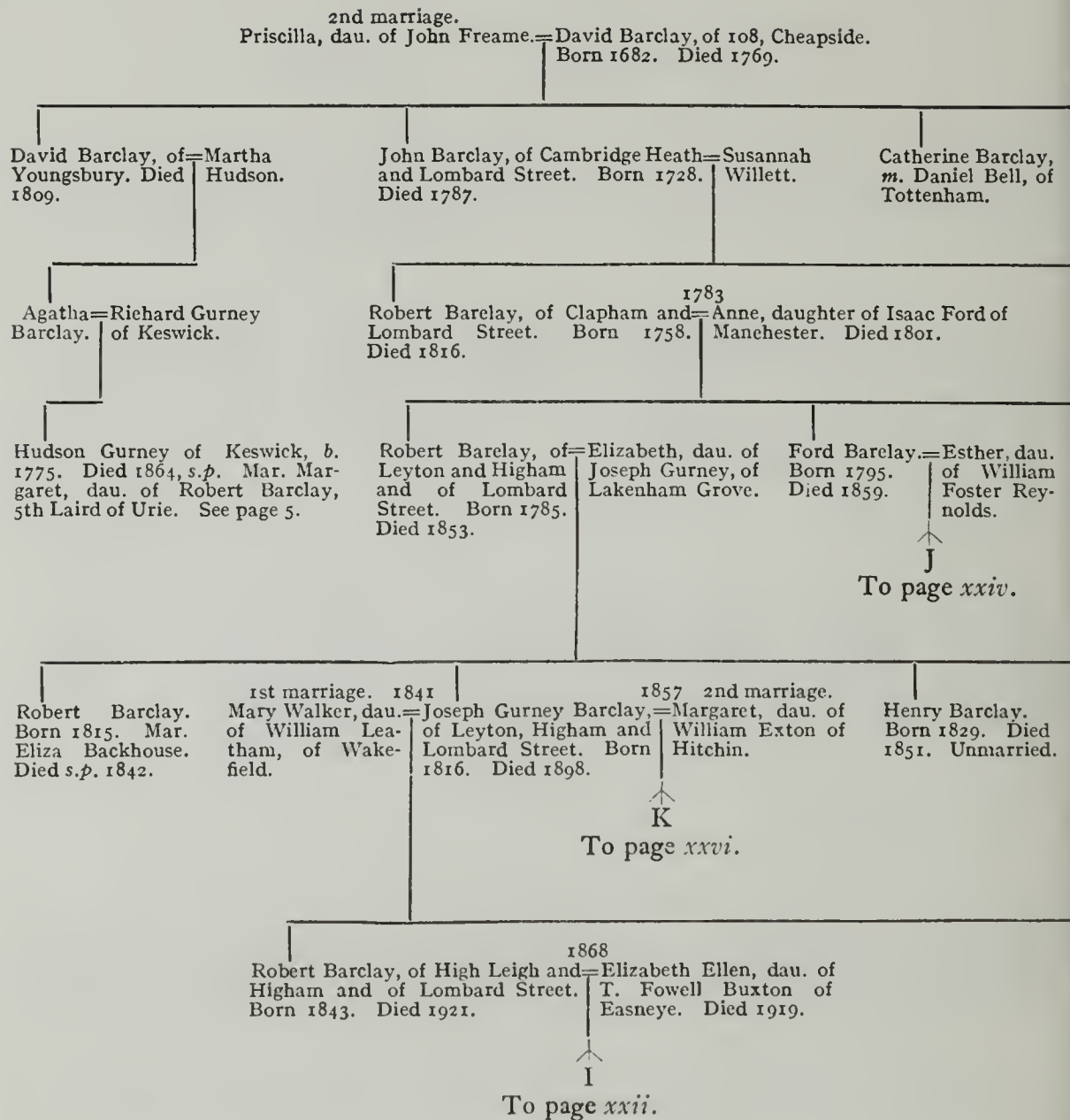


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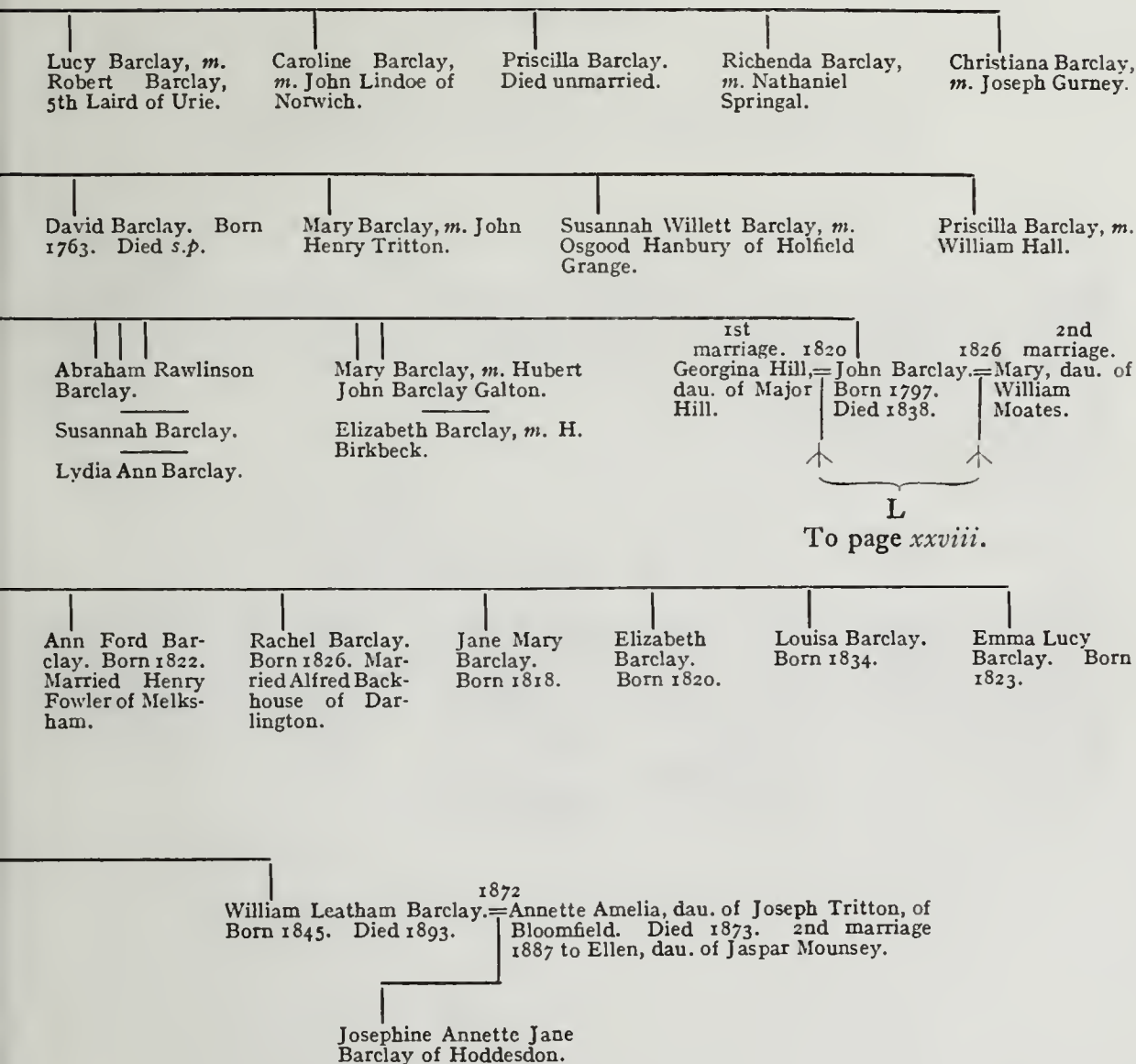


HISTORY OF THE BARCLAY FAMILY

E From page *vi*.

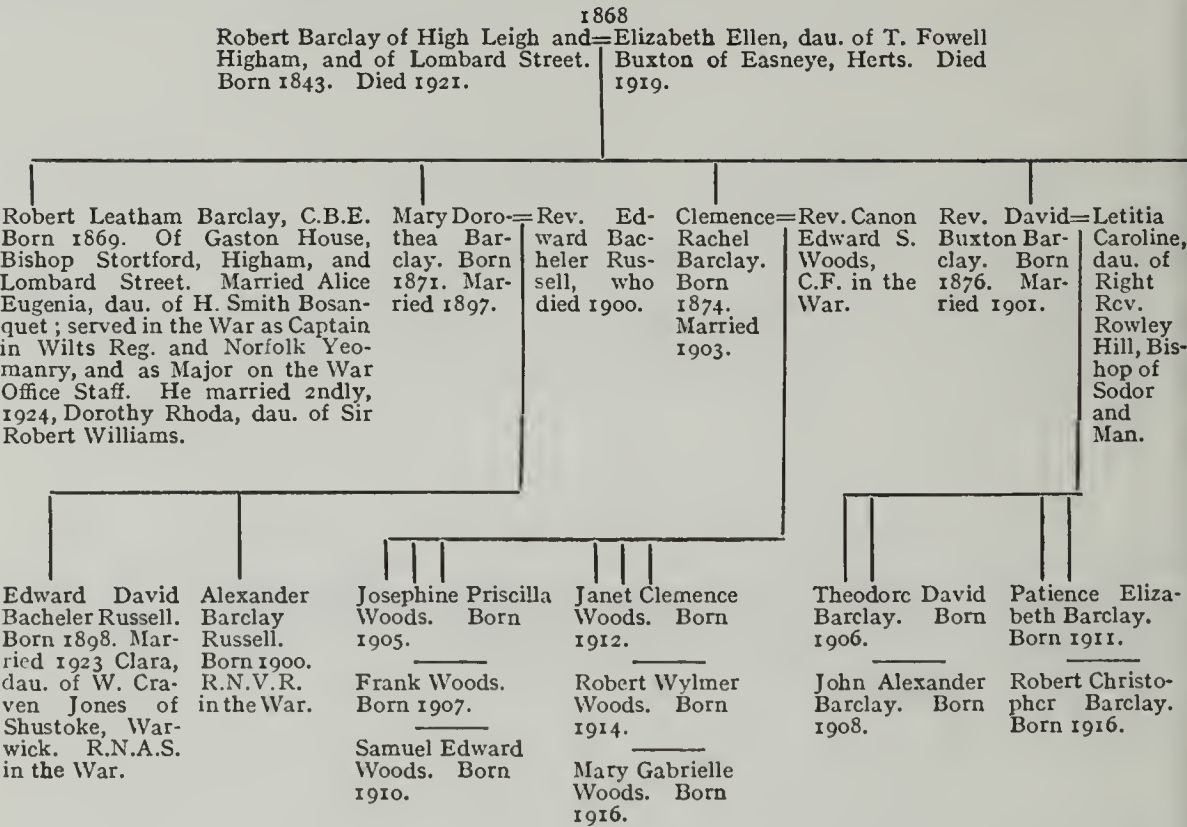


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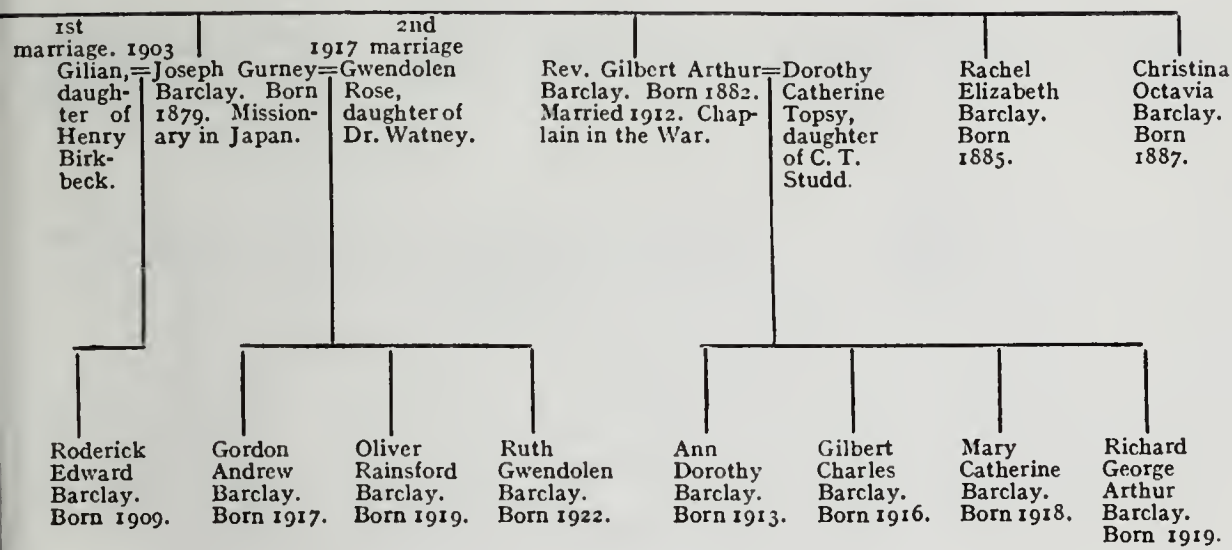


HISTORY OF THE BARCLAY FAMILY

I
From page xx.

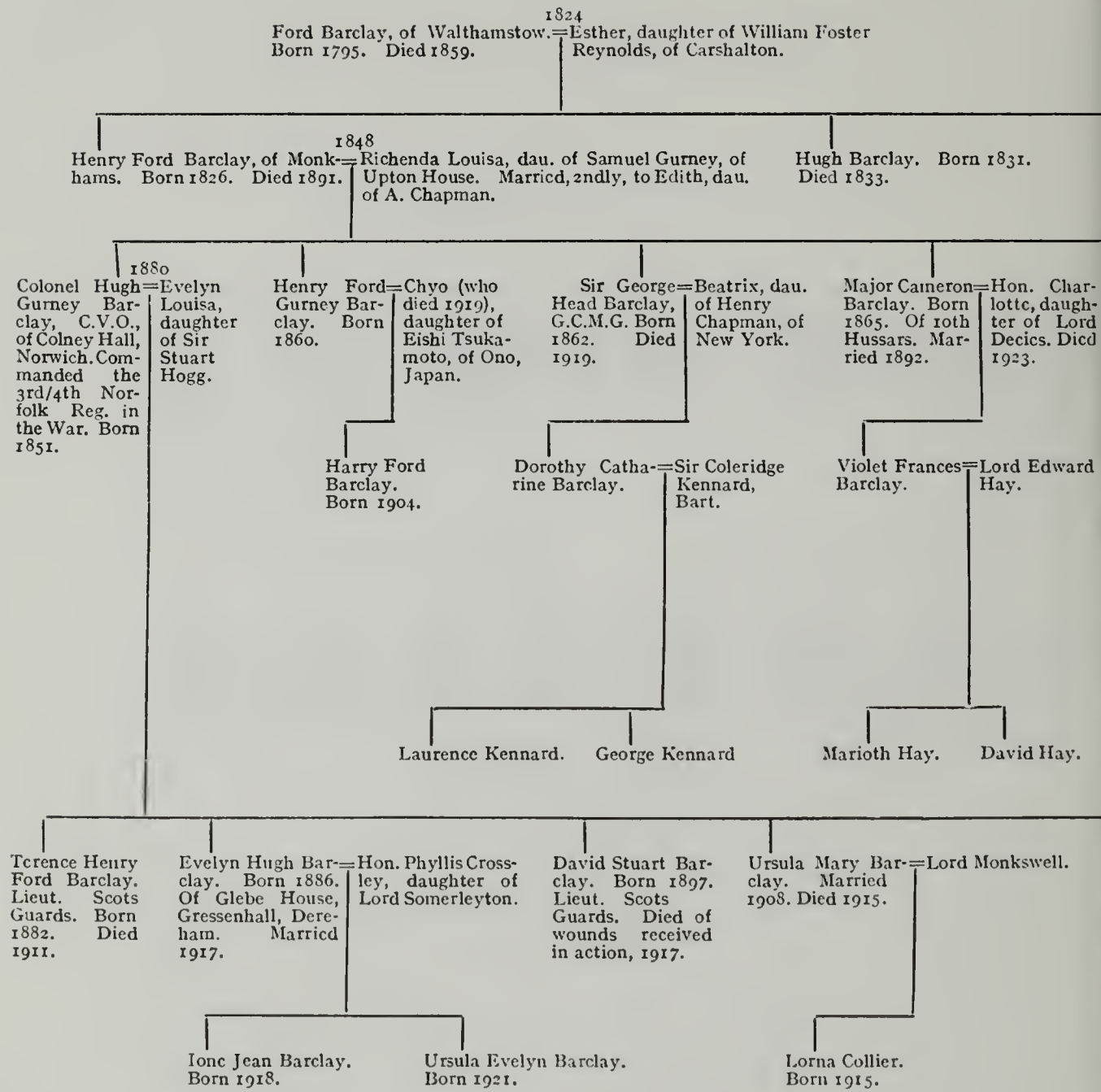


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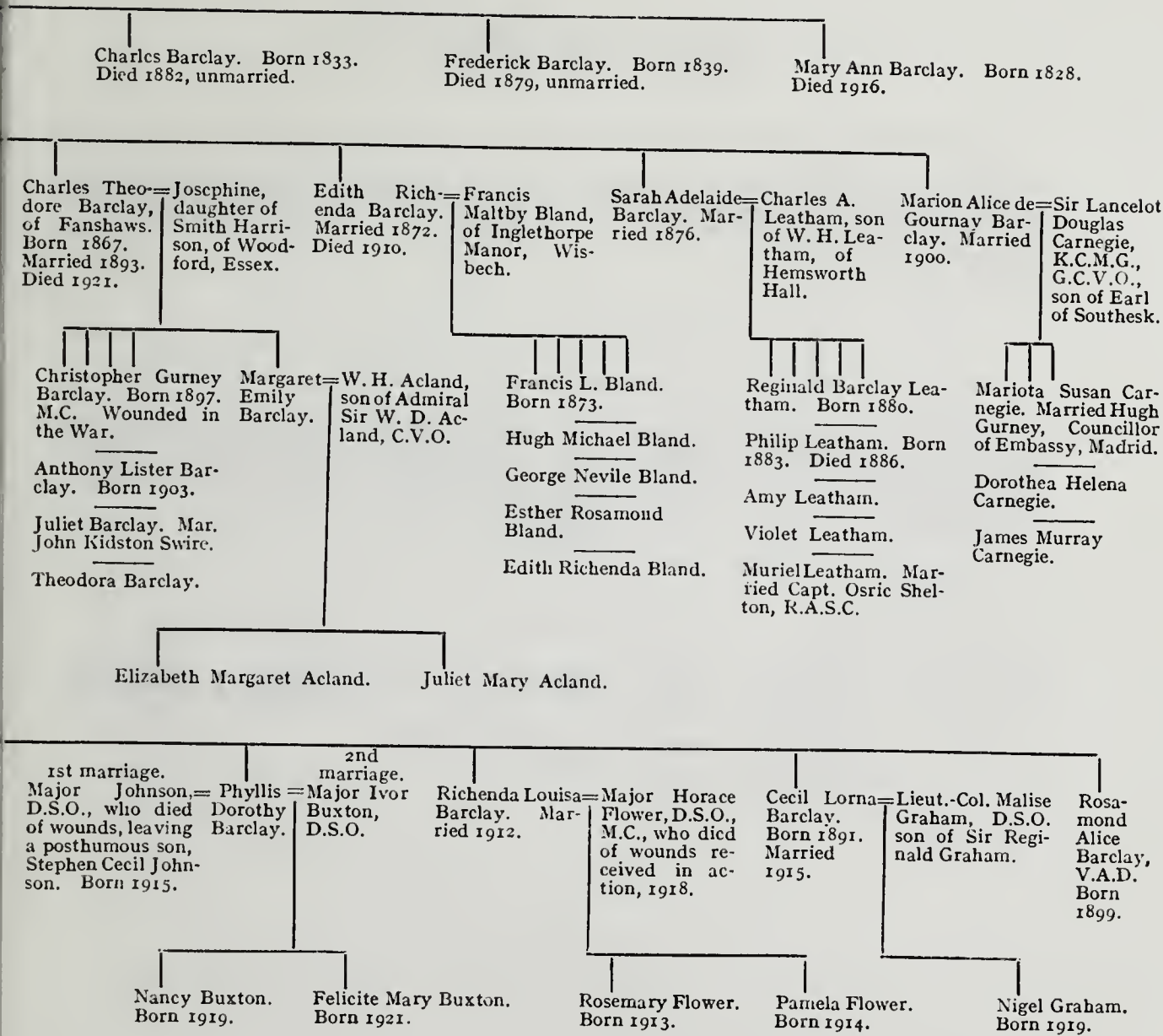


HISTORY OF THE BARCLAY FAMILY

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From page xx.

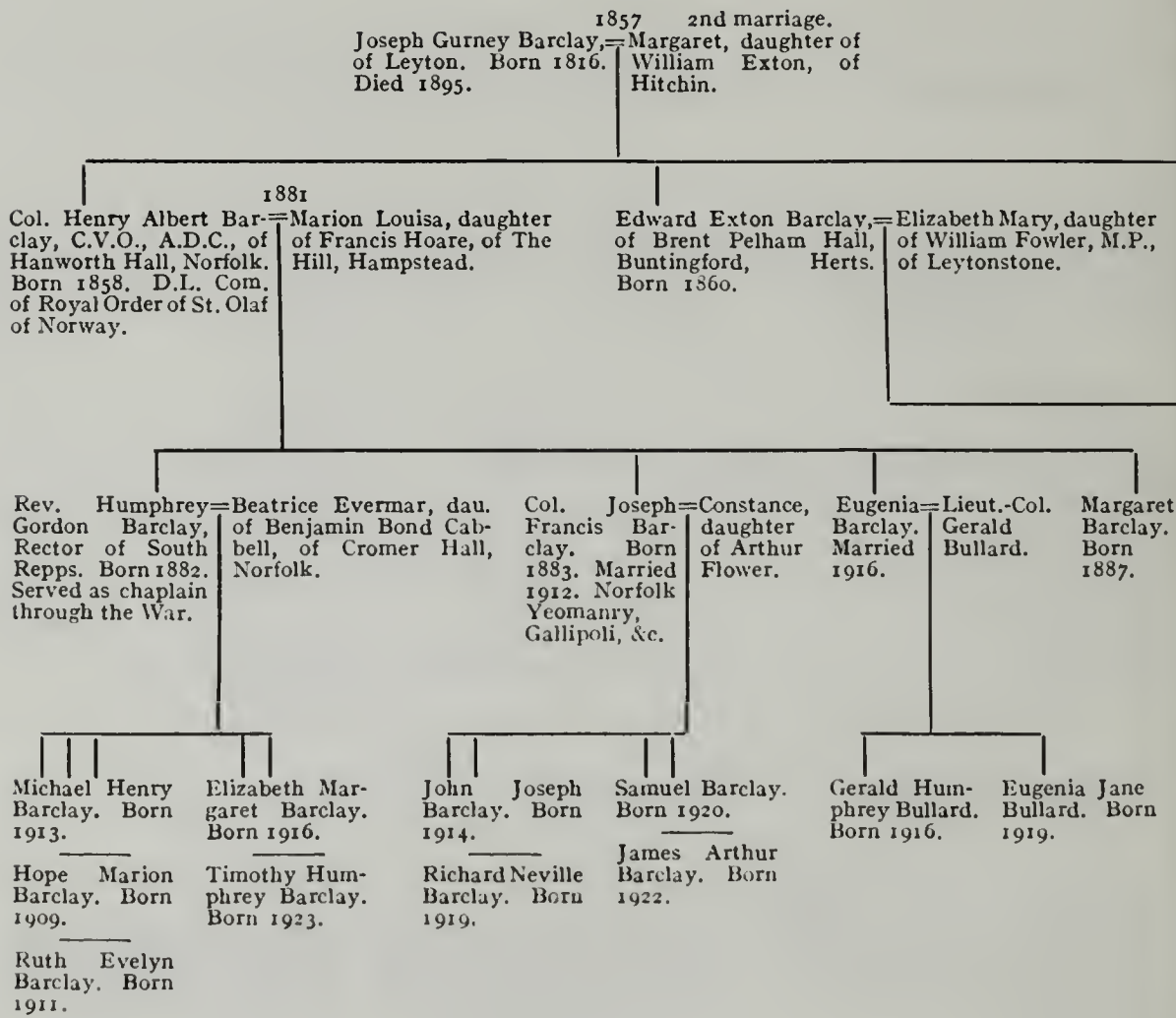


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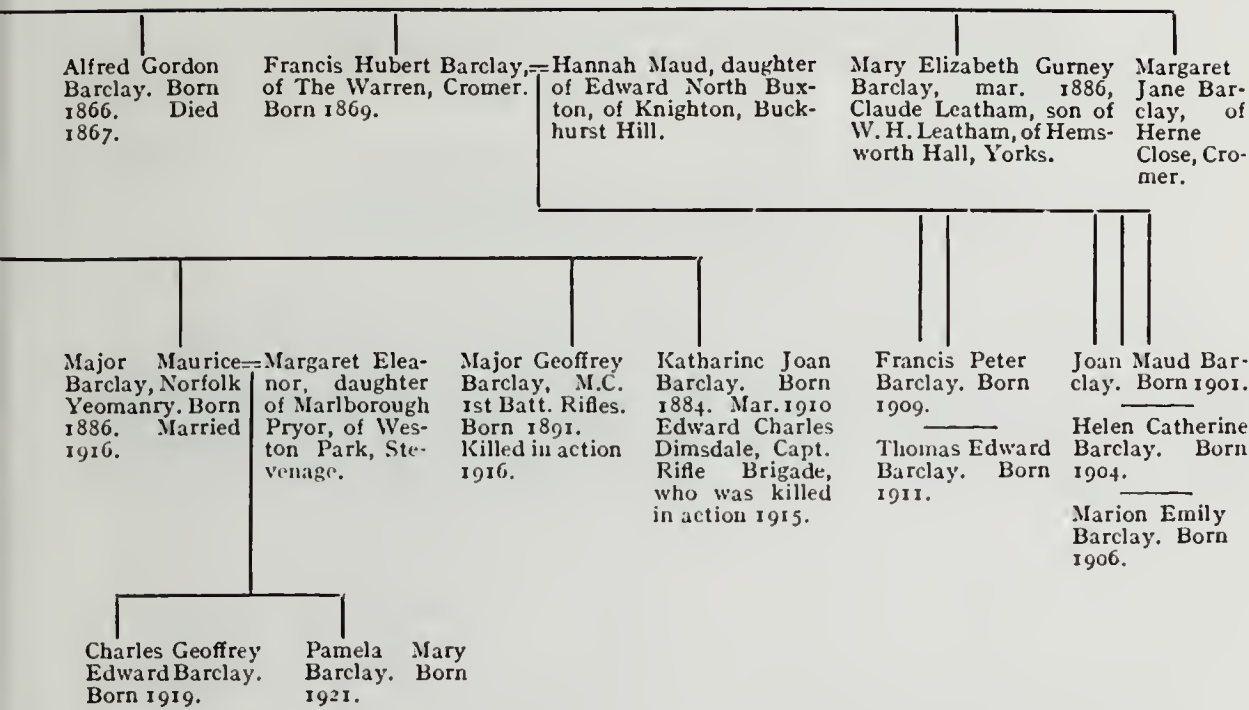


HISTORY OF THE BARCLAY FAMILY

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From page xx.

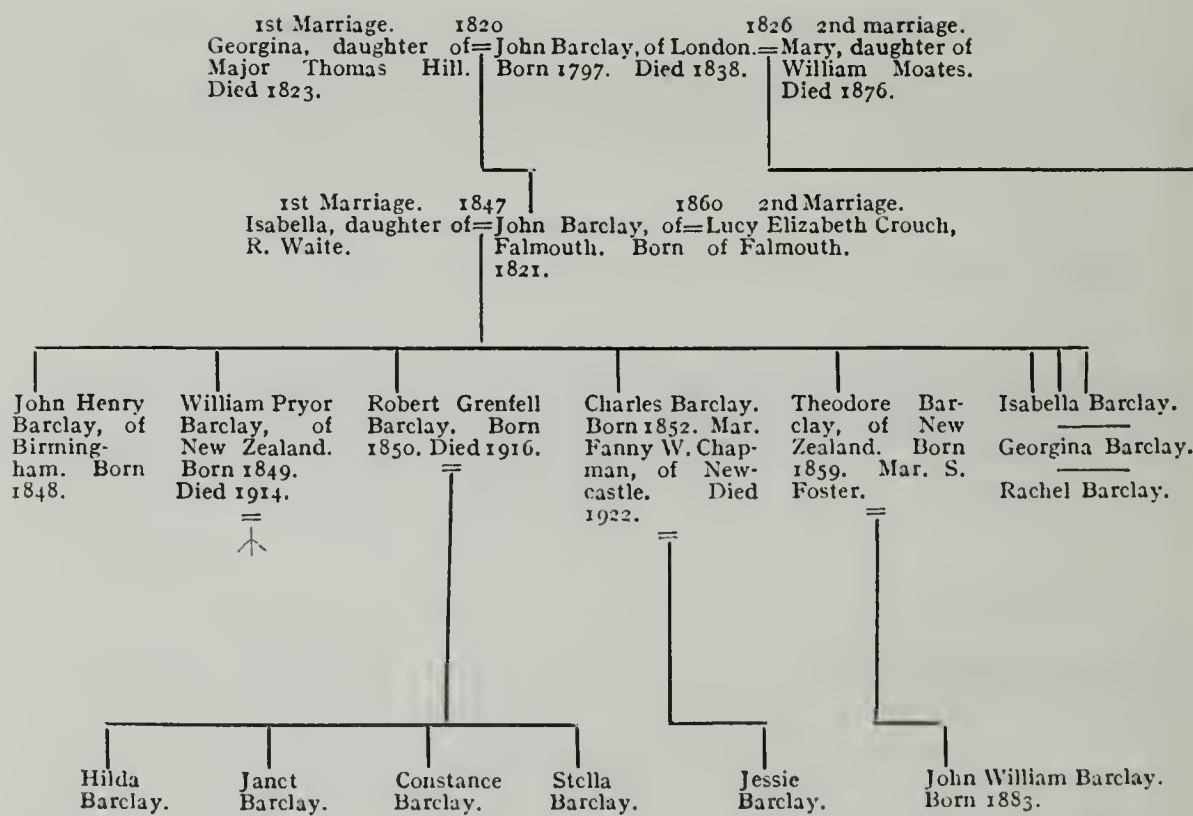


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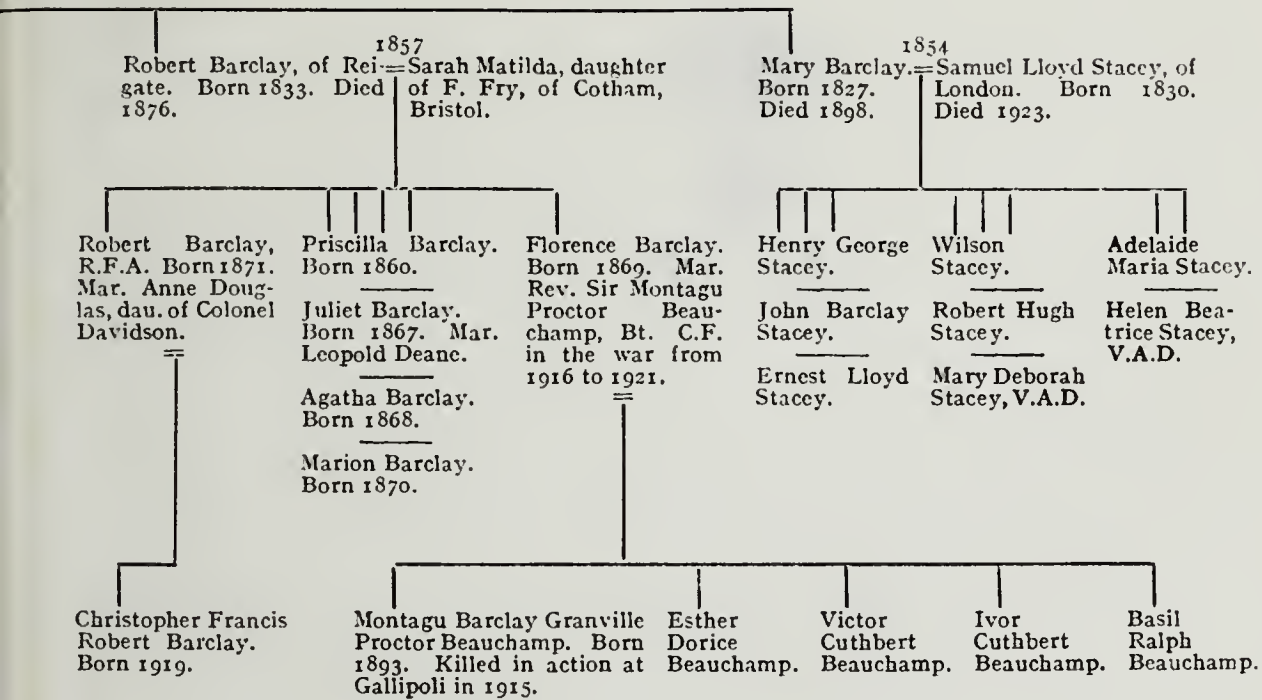


HISTORY OF THE BARCLAY FAMILY

L
From page *xxi*.



HISTORY OF THE BARCLAY FAMILY





W · H · SMITH & SON
STAMFORD STREET
L O N D O N · S E

